

**A CRITICAL ANALYSIS OF GANGSTERISM IN SOUTH AFRICAN
CORRECTIONAL CENTRES: THE CASE OF BARBERTON
MANAGEMENT AREA**

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I declare that the this dissertation is my own work and that all the sources that I have used or quoted have been indicated and acknowledged by means of complete references.

SIGNATURE

DATE

Dedicated to my late sister, Helena Jacobs (nee Botes) (Liekie)
who was gifted, but passed away at a young age.

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My sincere thanks and appreciation to:

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ABBREVIATIONS

ACA	– Affordable Care Act
AIDS	– Acquired Immune Deficiency Syndrome
APHA	– American Public Health Association
CBO	– Collateralized Bond Obligation
CCTV	– Closed –circuit Television
CMAX	– Maximum Prison in Pretoria
CPT	– Committee for the Prevention of Torture
CSPRI	– Civil Society Prison Reform Initiative
CSVR	– Centre for the Study of violence
DCS	– Department of Correctional Services
DG	– Director General
HIV	– Human Immunodeficiency Virus
IC	– Integrated circuit
ID	– Identification Document
IJS	– Integrated Justice System
JCPS	– Justice Crime Prevention System

MC	– Master Chart
NCPS	– National Crime Prevention Strategy
NGO	– Non-governmental Organization
NIA	– National Intelligence Agency
NICRO	– S.A. National Institute for Crime Prevention and the Reintegration of offenders
NPA	– National Prosecuting Authority
PMC	– Prisoner Member Committee
POW	– Prisoners of War
SAPS	– South African Police Service
SAS	– Statistical Analysis System
SC	– Smile Columbia
STAT	– Statistics
STG	– Security threat group
STI	– Sexually Transmitted Infection
USA	– United States of America

ABSTRACT

Prison gangs are currently rife in South African correctional centres. Correctional officers and fellow offenders are frequently attacked by gang members, facilities are damaged and inmates are injured or killed in fights or during fires in correctional centres. Severe gang violence occurred at the Polls moor and Rustenburg correctional facilities at the end of 2016 and inexperienced correctional officers lacked the expertise to suppress the violence. This state of affairs necessitates further study into the management of prison gangs.

Given the above background, this study aimed to examine how correctional facilities can suppress gang activity. The study provides an overview of the history of gangs in South Africa and shows how community gangs spread to prisons. This is followed by a meticulous documentation of the different elements of gang culture by means of observation in an effort to arm future correctional officers with knowledge regarding gangs. The findings of the observation revealed that gangs each have a unique way of greeting, using hand gestures, tattoos and verbal greetings. These communicative acts can be used as part of a strategy to prevent new offenders from becoming involved in gang activity.

The observational research was confirmed by means of qualitative research. The experiences of gang members were examined by means of questionnaires to better understand the dynamic. The qualitative study was conducted at four correctional facilities, namely a maximum, medium A and medium B facility and a town youth facility. These different facilities ensured that all age groups were represented. Questionnaires were distributed to offenders who voluntarily consented to participating in the research.

The literature study showed that South Africa has good legislature and policies in place, but that they have to be implemented more strictly and that the correctional officers have to be empowered by an increase in human resources and funding.

In addition to capacity building, the strategic framework presented as part of the study suggests that supervision of gang members should be sharpened by for instance reconsidering the lay-out of correctional facilities. Gang members should be involved in rehabilitation programmes, which are frequently available, but not implemented. Correctional officers should be trained to manage

gang members and legislation and policies should be revised frequently, as criminals tend to adjust their modus operandi continuously.

The suggested framework can be of great value to the Department of Correctional Services, as managing gang activity in correctional centres can greatly change the efforts of the department to rehabilitate offenders.

Key words: correctional services, gangs, offenders, gang cultures, correctional centre, rehabilitation.

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CHAPTER 1: BACKGROUND OF THE STUDY

1.1 INTRODUCTION

Gangs in correctional centres are certainly not unique to South Africa. However, they are a distinctive feature of South African correctional centres. This is in the first instance due to their operation, second because these gangs have a nationwide organizational structure, and third because this phenomenon has historic roots (Haysom, 1981:48-50). Gangs have a structure, ranking and disciplinary codes that predates the South African Correctional Services.

Prison gang is a term used to denote any type of gang activity in correctional centres. Correctional officials and others in law enforcement use the term “security threat group or STG” (Stoner, 1961:13 & 107). Gangs have their origin in the 19th century. They draw life from the present culture in correctional centres and are existing organizations that consist of living humans who respond to the present social environment.

The gangsters refer to themselves as “men of the number” and are organized in a hierarchically ordered quasi-military structure. Membership is independent of race. Each gang has its own tradition and they use uniforms, tattoos, flags, salutes and other military paraphernalia (Lötter, 1988:67-75).

A number of minor gangs have come into existence. They tend to grow in numbers as they operate, but then they disappear quietly. At the moment, the two most predominant major gangs are the 28nd the 26s. Minor gangs such as Forty Thieves, Desperadoes, Spy 13, Black Power, and a few more do exist in correctional centres, but in comparison to the major gangs, they are not as significant (Hayson, 1981:1).

Friedman (cited in de Kock, 1985) states that gang activities should be punished by correctional centre authorities according to a recommendation drawn up by the correctional centre superintendents at a meeting with the Minister of Justice in September 1912 to deal with these gangs. The concept of “security threat group or STG” is used to prevent the publicity that the name “gang” can receive when referring to people who have an interest in undermining the system. Gangs and their activities have major impact on the maintenance of a secure and safe

environment that is conducive to the rehabilitation efforts of the Department of Correctional Services.

Gang activities affect almost every sphere of South African life within correctional centres. South African prison gangs' most notable feature is that they are often nationwide. Gangs boast that they have "brothers in every prison" [Whitepaper on Corrections in South Africa, 2005: page 79).

The gangs' military-like structure, ranking and robust disciplinary code that predates the South African correctional system are powerful forces in correctional centres. Gangs pose a serious threat to the orderly functioning of South African correctional institutions and this causes continuous instability in the correctional centres [Whitepaper on Corrections in South Africa (2005:79)].

Gangs control the daily lives of all offenders, Correctional Services personnel, and management (PMG, 2000). They threaten staff and other offenders, but sometimes they also corrupt some Correctional Services personnel (according to B-Order of Correctional Services, Chapter 2, 4.2.6 and the Prevention of Organized Crime Act 121 of 1998).

In some cases, lives are lost or there is severe structural damage to the correctional centre. The continued existence and functioning of gangs prevent the effective implementation of the goals and objectives of the Department of Correctional Services (DCS). The Correctional Services of South Africa are guided by the Correctional Services Act 111 of 1998, the White Paper on Corrections, and the Correctional Services B-Order.

The following activities and programmes were suggested as a solution for gangsterism inside correctional centres:

- no money is allowed inside any correctional centre;
- family days have been implemented;
- visits by outside schools can be arranged;
- education is set for the youth inmates.

However, with the gangs inside the correctional centres, these proposals cannot be implemented and managed. Gangs remain a threat to achieving the vision and goals of the White Paper on Correctional Services. For these reasons, a sample of four correctional centres within the Barberton region was used to obtain data on gangsterism. The participants were mostly men involved in gangs and previously involved in gangs and were selected by making use of a purposive sampling technique.

1.2 PROBLEM STATEMENT

Recently the focus has been on the operation and existence of gangs. In many different ways before (Clayton, 1991:7-14, Kinnes, 2003:334; Lotter & Schurink, 1984:53; Altbreker, 2007:119; Parliamentary Monitoring Group, 2006). There has been research and internal investigations by the Department of Correctional Services, but without any success in stopping gang activities (CSPRI Research Report No. 17, 2009).

There are several reasons why inmates join gangs in correctional centres. These include factors like deprivation of freedom, absence of relationships, lack of autonomy and personal security, group pressure and gangster activities outside the correctional centre. Offenders with a strong personality looking for a power base inside the correctional centre will also easily join a gang in their quest for power and recognition (Haysom, 1981:1; Schurink, 2004: 30:217-224).

The manner in which gangs develop in correctional centres should be investigated through focused research. The culture of gangs should be carefully analysed and reviewed to inform and guide the development and implementation of a comprehensive gang management strategy that can effectively address problems and offset specific identified conditions and circumstances. Such research must establish with accuracy what the similarities and differences are between gangs and what the gang influence is in the correctional centres of all the different provinces.

Researchers like Deysel (1996), Hunt (1993), Steinberg (2004) and Kuyler, (2008) and Van Den Berg *et al.* (2008) *et al.*, Hunt (1993), *et al.* suggest that gangs within the correctional centre context may have some positive functions. Although gang members are internally disciplined, they afford members status and belonging while they perhaps do not have anything to live for outside.

In addition to benefits from gang members, there are factors inside correctional centres that may exacerbate gang activity. This includes threats to inmates such as overcrowding, assaults and other types of violence, sexual assault, and the desire to escape (CSPRI Research Report No. 17, 2009).

1.2.1 Overcrowding

Due to overcrowding and staff shortages, inmates are regularly locked up for the greater portion of the day and in many instances are only afforded an hour outside to exercise. Overcrowding exacerbates the intrinsic design problems of correctional centres, with the number of inmates in most correctional centres approaching, if not exceeding, double the intended capacity (Office of the Inspecting Judge, 2000).

The system of South African Correctional Services was designed to accommodate 100 668 individuals, and currently there is a problem to accommodate an actual population of 172 271. The degree of overcrowding varies considerably from facility to facility and from province to province (Goyer, 2001:67).

Goyer (2001:67) discovered that at the time one of the worst correctional centres in terms of overcrowding is Johannesburg Med A with 6 250 inmates incarcerated in accommodation meant for 2 630. Although bunker beds (one on top of another) are used they are placed very close to each other, the space is limited, and sometimes with overcrowding there are more offenders in a cell than there are available beds.

The accommodation norms set by the Department of Correctional Services is $3.5m^2$ in communal cells and $5.5m^2$ in single cells (Annual Report for the period 1 April 2006 to 31 March, 2007). This is called “adequate accommodation.” During July 2004, the potential inmates lockup total in terms of accommodation was 114 821, but the actual lockup total was 184 806 (CSVR, 2005). The occupation rate is 161%. According to Correctional Services’ statistics, the capacity is calculated based on 3.344 square meters per inmate, which means that an inmate in an average communal cell has just under 2.1 square metres of floor space. This is of course, the average. In some correctional centres, conditions are considerably worse. For instance, the 190% overcrowding of the Barberton Maximum Correctional Centre gives the average inmate housed in a communal cell about 1.76 square meters of floor space.

The committee for the Prevention of Torture and Inhuman or Degrading Treatment or Punishment (CPT) of Europe has set nine to ten metres of floor space per inmate as a desirable standard. Its bare minimum standard is four squared metres per inmate in a communal cell and six square metres for a single cell (CPT, 2000). At present, the average South African inmate in a communal cell therefore occupies just over half the floor space considered a bare minimum in the CPT's jurisdiction.

In the United States, the American Public Health Association (APHA) has set standards requiring a minimum of 60 square feet (18.18 square metres) per prisoner. The APHA standards are determined in part by a measure of the capacity of the correctional centre administration to maintain the safety of inmates and officials, and to conduct inmate programmes such as work, training and recreation, which render life behind bars tolerable.

Such standards are, of course, not necessarily the constitutional standard. Courts around the world have historically been reluctant to adjudicate on the constitutionality of accommodation in correctional centres by reference to a simple measure of floor space. Most examine floor space in the broader context of life in a correctional centre; how much time inmates spend in their cells each day, how much exercise they get, access to ventilation and natural light, quality of food, climatic conditions, access to work, recreation and training. Yet, when floor space per inmate diminishes to the extent that is has in South Africa, even the most reticent and cautious courts have ruled (PETE, 2015:102–118), on an adjudication of floor space alone, that the conditions at correctional centres in South Africa are degrading or cruel.

In the United States, where the jurisprudence of conditions at correctional centres established by the Supreme Court insists that overcrowding *per se* is not a constitutional violation, correctional centres that cram inmates into less than three squared metres of floor space, have been roundly condemned by the courts (CSV, 2005). During 1981, the Seventh Circuit found five men to a cell (sharing), measuring five-by-seven feet (as:10.6 square metres, or 2.12 square metres per prisoner) unbelievable to the world. (CSV, 2005). The court regarded such overcrowding as cruel and unusual punishment, thus violating the Eight Amendment of the United States Constitution.

Four years earlier, the Tenth Circuit had found that housing two men in “a little 35-40 square foot cubby hole” offends the contemporary standards of human decency (Battle v. Anderson, 447

F. Supp. 516 (E.D. Okla. 1977). The European Court of Human Rights, which has been reluctant to use floor space alone as a threshold to determine whether conditions of detention are degrading, has nonetheless come close to doing so when commenting on floor space per inmate. In *Kalashnikov v. Russia*, 47095/99, Council of Europe: European Court of Human Rights, 15 July 2002, the applicant was confined to a cell with 11 to 14 occupants, each of whom had 0.9 – 1.9 square metres of floor space. The court went on to describe related conditions, but stressed that the question of floor space alone “raises an issue under Article 3 of the European Convention on Human Rights”, which prohibits degrading treatment.

In South Africa, offenders with non-violence offences who are awaiting trial may wait longer than a year (Vlok, 1992:6). The overcrowding exacerbates all other problems, of which violence is the most problematic.

1.2.2 Violence

Violence such as assaults are, in a number of different ways, part of gang life inside correctional centres. Gang leaders assault gang members as punishment when they transgress the gang rules. Gangsters assault members and other offenders to earn their position or rank in the gang. Although a strategic plan is in place to address assaults, Correctional Services has long not gained control of the problem (Portfolio Committee on Correctional Services, 1998).

On a visit to the Barberton Maximum Correctional Centre (Van Zyl Smit, s.a.1992:49), offenders expressed their desire not to be part of the gang system and to be removed from all the problems inherent to sharing overcrowded quarters with violent gang activities. For instance, in Barberton Maximum Correctional Centre an offender was assaulted and was removed to a single cell from a communal cell as the communal cell hosted offenders from different gangs. There are many stories of gang-related assaults and many court cases follow such incidents (*S. v Masaku* 1985 SA 908 (A)).

1.2.3 Sodomy and sexual abuse

Sexual activities vary from one correctional centre to the next. This research is not concerned with the level or incidence of sexual activities, but a cursory look into this matter does aid an

understanding of other factors in correctional centres, such as violence, the transmission of HIV, its consequences on identity and self-image and gang activity.

Outsiders often think that sex in the correctional centres exclusively entails acts of rape, but sex also takes place in other circumstances. This may vary from something that resembles rape to consensual sex.

Sexual activities in correctional centres contribute to HIV transmission in the correctional environment. There are other risk behaviours that take place in correctional centres, but available reports on the HIV/AIDS situation in South Africa (Goyer & Gow, 2000:14-18) state that while many inmates are already infected with HIV when they enter the correctional centre, sexual activity is the key contributor to HIV infection.

Most of the reported sexual interactions are linked to the 28s. This connection between the 28s and sexual activity is unsurprising in light of the fact that the “Ninevites” adopt homosexuality as a creed. The goal of the 28s is to pamper, protect and organize catamites or ‘wyfies’, and they have a set of laws to govern sexual relations between men (Haysom, 1981:1; Achmat, 1995:Ex 1-3).

The 28s are the most powerful of the number gangs in correctional centres according to previous studies (Haysom, 1981:1-30; Schurink, 1989:60–70). They are hierarchically ordered in a quasi-military structure, but in the 28s, this particularly pertains to members’ sexuality. The 28s operate according to a system called Private Line or Blood Line. The Blood Line is committed to violence, while the Private Line protects the camp and their ‘wyfies’. Private Line positions are distinctly feminized. The ‘wyfies’ provide sex and domestic services to the fighters (Schurink, 1989:60-70).

It appears that especially in relation to those targeted to become the passive sexual partners or ‘wyfies’ of other gang members, very direct coercion in, for example, the form of rape is not unusual. Rape purportedly sees many a new inmate positioned as a ‘wyfie’. Members may join gangs either because they are homosexually raped and reduced to wives, or because they wish to avoid this fate (Haysom, 1981:30).

A young man with feminine qualities will likely be regarded as a potential ‘wyfie’ (Schurink, 1989:30). The decision as to whether a recruit will become a ‘wyfie’ or a ‘soldier’ lies with the

occupant of the “Nyangi” (Doctor) position in the 28s structure. Once a wife, one is not necessarily always a wife. “Officers” in the Private Line may have started as ‘wyfies’, but can apparently work themselves up from this rank (Schurink, 1989:63).

1.2.4 Escapes

The possibility of escape affects gang behaviour in correctional centres. According to the Department of Correctional Services’ latest Annual Report (2014/2015), the department managed to reduce escapes to 0.031%, with 99.97% of the country’s 159 563 inmates remaining safely behind bars. Forty-nine escapes were reported last year (2014/2015), compared to 60 the previous year (2013/2014).

Commissioner Modise said in this regard:

“The efficiency, and effectiveness, of the Department of Correctional Services safe and secure custody programme at the country’s 243 correctional centres, has reached unprecedented levels of 99.97%.

Of the 0.031% of escapes last year, the majority were re-arrested and are back behind bars. This represents a continued decline, from as high as 1 244 escapes per year in 1995, and we commend the majority of our Correctional Officials for this achievement”.

The above problems all play a role in gang culture and activity. The causes and effects of gang membership are complex and multi-layered. For this reason, gangs in correctional centres are not a phenomenon that can be addressed without thorough research. The research problem that this research aims to address centres on the inner workings and structure of gangs and the effect that these gangs have on correctional centres.

1.3 RESEARCH QUESTIONS

The above research problem culminates in the following research question:

- What form does gang culture and gang activities take within correctional centres, and how can this knowledge contribute to a model to combat the effects of gang activities in South African correctional centres?

In pursuit of this primary question, the secondary questions are:

- How did prison gangs develop in South Africa?
- What do the intricacies of gang operations and gang culture inside centres involve?
- What efforts are currently being made in correctional centres to combat prison gang activity and are these efforts working?
- What legal frameworks are available to guide correctional authorities?
- What would a model for combatting gang activity successfully inside correctional centres entail?

1.4 AIM OF THE RESEARCH

This research primarily aims to address the above set of problems by examining gang culture and gang activities within correctional centres, including the pay-offs or benefits for its members. Such benefits can provide researchers with insight that they can incorporate into a gang management strategy. In an effort to examine this possibility, the research examines the impact of gangs in the Barberton Maximum Correctional Centre.

In pursuit of this primary aim, the secondary aims were:

- To study the history of prison gangs in South Africa;
- To document the intricacies of gang culture and to examine gang operations in correctional centres;
- To evaluate the current efforts in correctional centres to combat prison gang activity;
- To examine the legal frameworks available to guide correctional authorities;
- To present a possible model for combatting gang activity inside correctional centres.

The goal with this research is to bring change in the Department of Correctional Services and to minimize the increasing number of gang related incidents, loss of lives and damage to buildings within the correctional centre. According to the Whitepaper on Corrections, the Constitution guarantees the freedom and security of the individual, not to be tortured in any way and not to be treated or punished in a cruel, which includes the right to be free from all forms of violence, inhuman or degrading way (White Paper on Corrections, 2005:79). The study is also aimed at assisting in the development and refinement of a practical strategy and feasible actions to manage prison gangs successfully.

The authorities acknowledge the problem of gangs and have expressed their complete opposition to the gang system.(White Paper on Corrections, 2005:79) Various methods are used to try to minimize gang activity, including housing members of different gangs in different communal cells, but much still has to be learned to enable Correctional Services to combat this trend.

1.5 MOTIVATION FOR THE RESEARCH

1.5.1 Scientific value

The research outlines the impact of gangsterism in the correctional centres. Hopefully, the recommendations made in this study can aid the Department of Correctional Services in developing and improving programmes for the treatment of offenders and decrease the total number of gangsters.

1.5.2 Value for the administration of Correctional Services in South Africa

The Department of Correctional Services must ensure that development plans are in place for offenders. Gangsterism inside correctional centres must be minimized as it places a huge burden on the Department of Correctional Services in terms of security and finances. Financial implications include the following:

- Medical costs of injuries sustained during gang fights.
- Standby payments to staff members on standby.
- Placement of additional staff members on hospital duties.

- Payments to relatives of staff members in cases of death while on duty.

The rehabilitation of offenders forms an important part of the development plan of Correctional Services. The aim of correctional action is to ensure that offenders are successfully rehabilitated and that they can be respectful members of the public. This aim can only be reached if we can arrive at strategies to combat gangs.

1.6 DEFINITION OF KEY CONCEPTS

1.6.1 Gang

A gang can be defined as follows: “A gang is a group of persons who go about together or act in concert, especially for criminal or illegal purposes. They are a group of people sharing a common identity. Many gangs have common identifying signs and symbols” (Jackson, 2016).

The Cambridge Academic Content Dictionary defines it as a “group of criminals or of people, esp. young men and women, who spend time together and cause trouble: *The clubs present an alternative to becoming involved in a gang.*”

For the purposes of this research, “gangs” refer specifically to criminal groups in correctional facilities.

1.6.2 Sentenced offenders

Reuters (2017) explains a sentenced offender as follows: “After a defendant is convicted or pleads guilty, a judge will decide on the appropriate punishment (or sentence) during the sentencing phase of a criminal case. Sentencing for criminal offences can range from probation and community service to prison and even the death penalty.”

A sentenced offender is therefore “any person, whether convicted or not, who is detained in custody in any correctional centre or who is being transferred in custody or is *en route* from one correctional centre to another correctional centre” [definition of “inmate” inserted by s. 1 of Act 25/2008].

1.6.3 Correctional Centre

“A correctional facility is the building that many criminal justice systems use to detain offenders. These facilities may hold accused people prior to trial, convicted criminals, juvenile offenders, and other types of individuals. Some correctional facilities are intended to reform or otherwise prepare offenders for a successful reintegration into society, while others simply detain criminals until they can be released. Types of correctional facilities include jails, prisons, and juvenile detention centers. Each country has its own approach to the criminal justice system and uses correctional facilities differently” (Grosz, 1006).

The Act defines it as follows:

“any place established under the this Act as a place for reception, detention, confinement, training or treatment of persons liable to detention in custody or to placement under protective custody, and all land, outbuildings and premises adjacent to any such place and used in connection therewith and all land, branches, outstation, camps, buildings, premises or places to which any such persons have been sent for the purpose of incarceration, detention, protection, labour, treatment or otherwise, and all quarters of correctional centre, and for the purpose of sections 115 and 117 includes every place used as police cell or lock-up” [Definition of “correctional centre” inserted by s. 1 of Act 25/2008].

1.6.4 White Paper on Corrections

The White Paper is viewed as

“...the principle strategic document aimed at directing the management and service provision of the department over the next twenty years and beyond. Furthermore, this White Paper on Corrections also sets objectives against which the people of South Africa can measure the department’s performance and service delivery. The writing of the White Paper was protracted, involved and exiting process that, for the first time in the history of responsibility which

is not shouldered by society” (White Paper of South Africa on Corrections as it was amended in 2004).

1.7 RESEARCH METHODS

1.7.1 Research design

A research design is a detailed plan that specifies how data should be collected (Luyt, 1999:17). In the social sciences, the term “research design” is widely used. It is the strategic framework for all actions and builds the bridge between all questions asked in the implementation of the research done. Research designs are plans that guide “the arrangement of conditions for collection and analysis of data in a manner that aims to combine relevance to the research purpose with economy in procedure” (Selltiz, Jahoda, Deutsch and Cook (1965))The researcher must always consider the purpose of the research, the situation in which the research is carried out, the theoretical paradigm informing the research and the research techniques used to collect and analyse all the data (Durrheim, 2006:37). All of these aspects were considered as part of this study.

The Correctional Services Act 111 of 1998, Correctional Services Amendment Act, No. 25 of 2008, Correctional Matters Amendment Act, No. 5 of 2011, White Paper on Corrections, Correctional Services B-Order as well as journals, official documents, questionnaires, observation and articles were used in this research to describe the impact of gangsterism in the Correctional Centres in South Africa. In addition to written sources, the researcher made use of observation. The researcher is a correctional officer at a correctional centre and critically observes gang-related activity every day. Much of the information on gang culture is based on noted observation.

A research design forms a strategic framework for action and is the link between the research questions and the execution of the planned research. These are the plans that guide the researcher in “the arrangement of condition for collection and analysis of data in a manner that aims to combine relevance to the research purpose with economy in procedure” (Stellitz *et al.*, 1965:50). Different research designs are available to the researcher, as discussed below:

1.7.1.1 Qualitative research

A qualitative study uses written sources, interviews or observations. In this way, the research makes an in-depth, open and detailed study of how people involve themselves in gangsterism, not only inside correctional centres, but also outside in the free world. According to Payne and Payne (2004:175) most of the qualitative methods share some features:

- There is a focus on human life
- The data collected are explored to create new ideas from them
- Actions forms part of the social process
- It interprets the meanings people are bringing out in their actions.

Researchers based their conclusions on different kinds of information gathered and on different techniques of data analysis.

1.7.1.2 Quantitative research

During quantitative research, data is collected in the form of numbers and statistics. With quantitative research, it is easier to give the result in percentages. Quantitative research begins with series of predetermined categories and uses standardized quantitative measures. These results are then used to make broad and generalizable comparisons. In such research, all findings are generable and the data is objective.

1.7.1.3 Population

A research study must have a study object. This object forms the population, and it can be groups (gangs) or individuals and the research can involve any aspect of their lives (Welman & Kruger, 2001:46).

The population in this study consists of inmates at the chosen facilities. The population consists of people from different cultures, age groups, gangs, races etc. All these different groups are the responsibility of Correctional Services and they have to take care of properly to make sure that rehabilitation occurs.

1.7.1.4 Sampling

In undertaking the study, purposive sampling was used as a method to select a sample from the population. This means that the researcher selected a group of people with a certain problem or attribute that must be studied in depth (Payne & Payne, 2004:204).

Purposive sampling signifies that one sees sampling as a series of strategic choices about whom, where and how one does one's research. This statement implies that the way that researchers sample, must be tied to their objectives. A second implication follows from the first; there is no one best sampling strategy because what is best will depend on the context in which researchers are working and the nature of their research objective(s).

Purposive sampling is virtually synonymous with qualitative research. However, because there are many objectives that qualitative researchers may have, the list of purposive strategies that may be followed is virtually endless, and any given list will reflect only the range of situations the author of that list has considered.

Nevertheless, some specific objectives and interests characterize qualitative research. For one thing, qualitative researchers are less often interested in asking about a central tendency in a larger group (e.g. "What do most people in this population think about an issue?"). They are much more interested in case study analysis – why particular people (or groups) feel in particular ways, the processes by which these attitudes are constructed, and the role they play in dynamic processes within the organization or group. Embedded in this is the idea that who a person is and where that person is located within a group is important, unlike other forms of research where people are viewed as essentially interchangeable. Research participants are not always created equal. One well-placed articulate informant will often advance the research far better than any randomly chosen sample of 50, and researchers should consider this in choosing a sample.

The general theme here is that the most important questions all researchers need to ask themselves are what they want to accomplish and what they want to know. The appropriate sampling strategy will follow from that.

For the purpose of this study, the researcher decided to observe inmates at different correctional centres: Barberton Maximum Correctional Centre, Medium B Correctional Centre, Medium A Correctional Centre, Barberton Town Youth Centre. Staff members at Barberton Maximum

Correctional Centre were involved and appointed to assist me in this research. Each staff member observed a group of inmates of between 5 and 10 in a group. They all received the same questionnaire to complete. Afterwards all questionnaires were collected and all data were processed.

The data were collected by means of semi-structured interviews based on an interview schedule. The semi-structured interviews proved to offer a relatively systematic collection of data. This way of collecting data contains questions that are important to the researcher (De Vos, 1998:300). Semi-structured interviews provide uniform information, which ensures compatibility of data (Saib, 2004:71).

The semi-structured interview schedule elicited information on the participants' experiences, knowledge and perceptions to analyse gangsterism in South African correctional centres. The researcher made use of officials working at the Department of Correctional Services – Barberton Maximum Correctional Centre. Offenders involved in gang activities and those who were previously involved were asked to complete the semi-structured questionnaire. The information was selected by means of a purposive sampling technique.

1.7.1.5 Data Collection

According to Wright and Crimp (2000:32), the data in for research can be collected in two ways:

- Primary data: all the information collected by him/herself for his/her study.
- Secondary data: all the information obtained through previous studies and all previous information on the researcher's topic available.

Both primary and secondary data were used in this research.

1.8 VALIDITY AND RELIABILITY

There are two forms of validation:

- Comparing between data collected in different manners (quantitative and qualitative) and mixing the methods used for a study (observation and interviews).

- The research can also be compared with previous studies to make sure that all information is valid.

All information gathered for this study was checked to make sure that the researcher's own biases did not have an influence in the study and that the selected investigation meets the objectives. The information was collected from the origin and constitutes the opinion and real life, first-hand information from inmates.

1.9 LAYOUT OF THE THESIS

The thesis is divided into six chapters to achieve the above objectives.

Chapter 1

Chapter 1 provides the background to the study by giving a short overview of the situation in the correctional facilities in South Africa. The chapter also pays cursory attention to the methodology of the study and defines the terminology involved.

Chapter 2

Chapter 2 contextualizes the study by providing an overview of the history of gangs with reference to gangs inside and outside of prison. After the historical overview, the chapter touches on current gang-related problems in South African correctional facilities. The chapter ends with a discussion of contributory factors.

Chapter 3

Chapter 3 reveals the inner workings of gangs by probing their structures, culture, signs and habits. After this overview of gang culture based on observation, the chapter presents the results of the questionnaires to probe the reasons why inmates become gang members.

Chapter 4

Chapter 4 peruses the theory on the concept of rehabilitation and questions whether rehabilitation and gangs in correctional facilities are in fact compatible.

Chapter 5

Chapter 5 Findings, Recommendations and Conclusion.

1.10 SUMMARY

This chapter provides a cursory overview of the problem of gangs in correctional centres, especially the problems that contribute to this phenomenon. These problems include overcrowding, violence, sodomy, sexual abuse and the desire to escape.

The chapter continued with a research question and the aim and objectives of the study. It discussed the methodology shortly and gave an outline of the thesis.

Chapter 2 takes an in-depth look at the historical origins of gangs in correctional centres.

CHAPTER 2: THE HISTORY AND CAUSES OF PRISON GANGS IN SOUTH AFRICA

2.1 INTRODUCTION

In an effort to address the first sub-question, this chapter examines the historical origins and history of gangs in correctional centres. It discusses the purpose of gangs in the correctional centres and in the free world. The chapter also explores issues like gang fights, the practice of scaring/threatening people, and reasons why people choose to belong to gangs.

It is difficult to pinpoint an exact date of origin for gangs in South Africa, but according to Matza and Drift (1964:33) and Downes (1966:257), there were gangs in correctional centres as early as 1880. Imprisonment as punishment only root only in the late 1800's.

Gangs not only have a serious impact on the lives of correctional officials and other offenders, but also on the management of correctional centres. They are one of the reasons for corruption and corrupt correctional officials.

2.2 THE HISTORY OF THE SOUTH AFRICAN PENAL SYSTEM AND CORRECTIONAL CENTRES DURING DIFFERENT PERIODS

Correctional centres were introduced in South Africa by Dutch colonists, but it was after the British occupation that the penal policy, including incarceration, began to take shape. Historically in South Africa as in England, the duty of the correctional centre administration to reform criminals was interpreted in order to accommodate the economic needs of the age (Zyl Smit, 1992:8).

With the abolition of slavery in 1834, policy began to be shaped by the country's labour demands. During the 1840s and 50s, many public projects were constructed using correctional centre labour. Inmates at the Breakwater Correctional Centre, now a historical landmark, were used to construct the breakwater, which protects the Cape Town waterfront (Oppler, 1998:4). Initially, offenders were punished when they became members of a gang and were isolated and sent to Robben Island. In 1914, the State got the upper hand according to the Minister of Justice.

In 1920, the gangs were non-existent in their original form, but they became entrenched in correctional centres. By 1927, the gangs opened its operations in Barberton Prison.

During 1945, the Landsdown Commission on Penal and Correctional Centre Reform found that the Correctional Centres and Reformatories Act of 1911 did not make provision for changes in the new South African correctional centres (White Paper on Corrections, 2005:26) and:

- held the view that offenders should not be hired out to outsiders;
- asked for an increase in the emphasis on rehabilitation and the need to extend literacy amongst offenders, in practical black offenders; and
- was critical of the government's decision to reorganize the correctional centre service on full military lines, which was seen to be an attempt to increase the control it had over correctional centre officials.

The Landsdown Commission Report that was presented in 1945 did not address the use of correctional centre labour by farmers. Inmates were not detained on a large scale before and up to 1960. Political detainees and sentenced political inmates became a reality in prisons. Wider powers were granted to the correctional centre authorities. During the 1960's and 1970's the new correctional centre legislation in the form of the Prison's Act (Act 8 of 1959) was introduced, and it:

- reflected little transformation of the correctional centre system;
- continued and even extended racial segregation within correctional centres in line with the national policy of "differential development" signalled in by Apartheid;
- abandoned the "nine pennies a day" correctional centre labour scheme and replace it with a system of parole;
- entrenched the military character of the correctional centres management, and made provision for commissioned and non-commissioned officers;
- closed the correctional centre system off from inspection by outsiders by prohibiting reporting and publishing of photographs. This served to entrench a relatively closed institutional culture within the correctional centre service, which resulted in a tendency for the norms of correctional centre law to be relatively remote from daily practice; and

- did not give essence to the internationally accepted meaning of the word parole since it still required of paroled inmates to enter into employment agreements with employers (mainly farmers) at ridiculously low remuneration or else to remain in prison.
- ignored crucial aspects like the prohibition of corporal punishment for correctional centre offences but it took the cognisance of the United Nations Standard Minimum Rules for the Treatment of Inmates on rehabilitation.

During the 1980's the major cause of overcrowding in correctional centres was the incarceration of inmates because of influx control measures. This was according to the structure and functioning of the courts. There was a closing down of correctional centre outstations and a decline in correctional centre labour for all agricultural purposes, and so the paid contracts of patrolling inmates was phased out. Correctional centres stayed overcrowded, but rehabilitation processes were still taking place.

The State of Emergency from 21 July 1985 onwards overshadowed the correctional centre system, but it only lasted until 1990. In 1990, the government announced that they planned extensive reform in the correctional centre system, and then the Correctional Centre Service split from the Department of Justice and became the Department of Correctional Services.

A new concept was introduced where certain categories of offenders are dealt with in the community itself rather than inside the correctional centre. This system is called "correctional supervision", which is also known as a non-custodial system.

Awaiting trials detainees are still kept in the Department of Correctional Services facilities. There is no policy for the awaiting trial detainees concerning the responsibilities of the Department of Correctional Services.

A credit system was introduced where inmates could earn credits for appropriate behaviour. The department focused on barriers for the promotion for black members. The Correctional Centres Act was amended and therefore no member can join a union without the permission of the Commissioner and it is illegal for a warder to strike.

The government introduced the Public Service Labour Relations Act during 1993 with new transformation. This Act was necessary to protect public service employees against unfair labour practices, and was applicable to the Department of Correctional Services just before the elections

of 1994. The employees are now allowed to join trade unions. Employers engage in collective bargaining and disputes can be referred and declare to the Conciliation Boards and to the Industrial Court.

- According to the principals of freedom and equality, a White Paper on the Policy of the Department of Correctional Services was introduced on 21 October 1994.

With the new democracy in the Department according to the White Paper the following is entailed to happen changes in the personnel and management of the Department of Correctional Services;

- as far as the Department's rehabilitation responsibilities are concerned they demilitarized on 1 April 1996;
- that the department makes sure that it is effective in the international arena;
- the appointment of an Inspecting Judge to investigate the Department's activities; and
- the immediate transformation. After 1994 the Department focus on safe custody of offenders, therefore The National Crime Prevention Strategy (NCPS) was approved in 1996 by the Cabinet, the Integrated Justice System (IJS) was adopted and aimed to see to it that the criminal justice system is more efficient and effective by means of Pillar 1 of the NCPS. The risk of re-offending must be reduced. The aims of the programmes are to increase the efficiency and effectiveness of the criminal justice system as a deterrent to crime and as a source of relief and support to victims;
- improve the access of vulnerable groups to the criminal justice process, including women, children and victims in general;
- focus the resources of the criminal justice system on priority crimes;
- forge inter-departmental integration of policy and management in the interest of co-ordinated planning, coherent action and the effective use of resources; and to improve the service delivered by the criminal justice process to victims, through increasing accessibility to victims and sensitivity to their needs.

The national programmes of the Pillar 1 of the NCPS includes:

- Re-engineering of the Criminal Justice Process
- Criminal Justice Information Management
- Crime information and intelligence
- Prosecutorial Policy
- Appropriate Community Sentencing
- A Diversion Programme for Minor Offenders
- Secure Care for Juveniles
- Rationalization of Legislation
- A Victim Empowerment Programme

Serious offenders must be dealt with more effectively according to The National Programme on Appropriate Community Sentencing. Minor offenders must be considered for community sentencing options and therefore to reduce the burden on the Correctional Services Department. The Department of Correctional Services must be assisted by the Departments of Welfare, Justice, Safety and Security, the Law Commission and NGO's in every way during offenders' rehabilitation.

According to the National Programme on Diversion for Minor Offenders, juveniles and petty offenders must be dealt with outside of the criminal justice system. Youth offenders with serious offences must be kept in a standard correctional centre or police cells.

2.3 THE HISTORICAL ORIGINS OF GANGS IN SOUTH AFRICA

In 1867, a man named Mzuzephi was born. In 1887, he migrated to the Rand after he encountered problems with his employer. He found a job as a domestic worker for four males, but these four men happened to be robbers. He started operating on his own in the field robbery – observing his four tutors. In this way, he evaded the imposition of a crime “colour bar”. He later joined other *skebingos* (criminals) and started with the *abathelisa* (the practice of leading other criminals to rob migrants) (Department of Justice, 1912:37).

Mzuzephi eventually changed his name to Jan Note. After joining a gang, he was promoted to second in command of a band under Nohlopa. The gang grew to 200 and hid in the caves around Johannesburg at a place called Shabulawawa. Nohlopa was caught and was sentenced to imprisonment. He gave up his leadership of the gang and Jan Note took over. Jan Note found inspiration in the Bible. He was inspired by the Book of Nahum and the history of the state of Nineveh, which rebelled against the Lord. The band took the name *Izlegelekege* (brigands), as they saw themselves as rebels against the government's laws. Jan Note trained his gang and they became an army, "*umkosi wa Ntaba*" (regiment of the hills) (Van Onselen, 1984:368-397)

The gang structure included a judicial system that made use of a judge for serious cases and a magister for petty cases. Medico-judicial cases were adjudicated by a chief doctor or *inyanga*. There were also colonels, captains and sergeants in charge of the rank-and-file soldiers. This is exactly the structure of modern gangs in correctional centres today. One can therefore regard Jan Note as the "father" of the modern gang structure (Schurink, 1989:60-70).

During the Boer War of the early 1900's, many mineworkers were sent home to Zululand. Without the prospect of a job, they found their way to the *Amalaita* brigand bands in Natal, and gangs proliferated. To this day, the 28 gang is referred to as Mongolia, *Amalaita*, or the Ninevites (Van Onselen, 1984:368-397).

Around this time, gangs started a number system to differentiate themselves. It is not clear exactly when the 27 gang started with Kilkijan as Nongoloza's lieutenant. Kilkijan was radically against homosexuality, which was quite acceptable in the Ninevite gangs, so it became important to find a way to distinguish between gangs. Nongoloza and Kilkijan agreed to give numbers to the gangs, but never higher than 28 (Schurink 2004:1986).

The 29 gang, the Desperadoes, have a more recent origin and they are mostly confined to the Cape. They breached Nongoloza's age-old number rule and are therefore treated with hostility by the 28s, 27s and 26s. Although the origins of the number gangs remain sketchy at best, the story of Nongoloza and Ngeletshane has been passed on over the years consistently (Byrne 2005).

The two gangs decided to go their separate ways, as predicted: Nongoloza's gang with its now eight men (which included Magubane, who he decided to side with him) and Kilkijan's gang

with its seven. It is said that this is where the numbers “27” and “28” originated, with the number “2” symbolizing the two leaders.

The gangs agreed that the 24 hours of a day would still be divided between them as it had always been. Kilkijan said “You will recognise me by two rays of dawn sunlight: one over my right shoulder, the other in front of me”. The gangs continued to roam the countryside until their members ended up in Point Correctional centre in Durban. Van Onselen, 1984 :368–397

It was at Point Correctional centre that they encountered a group of six men, led by a man named Grey, who were *franse* (non-gangsters). The six men would sit in a circle and flip a single silver coin between them. Nongoloza demanded that the men hand over their possessions to him, but they refused. Kilkijan later told Nongoloza that these men were skilled smugglers and gamblers who had helped him in his early days in correctional centre (Van Onselen, 1984:368–397).

Nongoloza decided to name the coin a “*Spyker*” (nail), while Kilkijan insists that they should call it a “*Kroon*” (crown). A fight broke out between Nongoloza and Kilkijan about the future of the gamblers. Kilkijan defended the gamblers against the 28s’ sexual appetites, which is what Nongolozo wanted them for.

After many disagreements, Nongoloza finally decided that the new group would be called the “26s”. This name was chosen because they had six men, but also because Nongoloza wanted to indicate their inferior status. Nongoloza informed Kilkijan that he and his men would have to answer for the actions of the 26s. It was said that Nongoloza said to Kilkijan “When they commit a wrong, I will not go to them, I will come to you.” Kilkijan replied, “That is all well and good, but when you wrong them, I will come to you.”

This resulted in three camps: the 26s were responsible for gambling, smuggling and accruing wealth in general. The 28s were the warriors and responsible for fighting on behalf of all three groups, and the 27s were the guardians of gang law and the peace keepers between all the gangs. New rules and a strict code of conduct were drawn up. It was decided that when a gangster broke a rule, the blood of a warder or *frans* (non-gangster) must be spilled to set things right.

2.4 THE RISE OF GANGS IN CORRECTIONAL CENTRES PRE-1960

In the 1800s, the mining industry demanded labour and this affected policies on imprisonment. Through this the development of the system of South African correctional centre began to parallel with the: the mining compound. Compounds were constructed to house and control thousands of workers they were migrant labourers far and separated from their families and homelands (Oppler, 1998:4).

South Africa's first correctional centres were operated near De Beers Mining Company. De Beers and the correctional centres worked hand in hand. The buildings were built by De Beers and the state assigned the inmates. The De Beer's mining company paid the expenses of offenders who had broken the law and made sure to pay the state for the use of their correctional centres as a source of labour. By the end of the 19th century, the De Beer's Diamond Mining Company was using over 10 000 correctional centre labourers daily (Van Heerden, 4-5). In Kimberley, the first correctional centre was built, both the compounds and the correctional centres segregated along tribal lines as well (Oppler, 1984:5).

Inmates were send to work in the mines for violating pass laws, this was effective for nearly 100 years until 1948 when the Nationalist government came to power. The necessary labour could be supplied for the growing economy during the 1900's. The state effectively, "the provider of enough unskilled black labour for the mines during the penal (punishment) system." Local convict labour was integral until 1952 to the growing South African mining industry (Van Zyl Smit, 1992:15).

In 1950, special farm correctional centres were constructed for inmates who were used to working on the farms. An act of Parliament in 1959 officially abolished correctional centre labour, but "useful and healthy outdoor work" for short-term inmates was suggested. Imprisonment is increasing and an explosion has occurred in several industrialized nations in correctional centre populations. Economic incentive has continued to shape criminal justice policy and correctional centres have become a profitable industry and the (Oppler, 1984:10.)

2.5 RECENT DEVELOPMENTS IN GANG ACTIVITIES IN CORRECTIONAL CENTRES

In South Africa the crime rate has increased, since 1997 and so has the population of correctional centre. This increase in correctional centre populations is attributed to more inmates who are awaiting trial. Unsentenced number of offenders has more than doubled in the past years. The unsentenced inmate population in South Africa is increasing daily and mostly because of the Justice system who delays in processing awaiting trial inmates.(Harding 1997:20).

The psychological state of an inmate is often one of helplessness and insecurity, which gang membership helps to alleviate. Most correctional centre gangs do more than offer simple protection for their members. Most often, they are responsible for any drug, tobacco, or cell phone handling inside correctional facilities. (Dean. 1995)

Furthermore, many correctional centre gangs are involved in prostitution, assaults and murders. Correctional centre gangs often seek to intimidate the other inmates, pressuring them to relinquish their food and other resources. In addition, they often exercise a large degree of influence over organized crime in the “free world”, more than their isolation in correctional centres might lead one to expect. Cases reaching the South African court system as a result of murders committed in prison confirm that gang members may be instructed to kill other prisoners. In such cases, the fact of gang membership may be regarded as extenuating circumstances. See, for example, *S. v. Masaku* 1985 3 SA 908 (A); *S. v. Magubane* 1987 2 SA 663 (A) (Achmat, 1995).

2.5.1 Coerced membership of the gangs

Recruitment happens in the first six days after an individual’s admission and is done by more than one person. The gang members from “stone yard” (privates) have specific roles during the recruitment process, of which the following two are the most important:

Gang members have to manipulate new admissions to ensure a constant flow of money and other articles that can be sold with a view to utilizing income to further the operations of the 26 gang. They would watch out for offenders that come from a rich family or receive much money or goods and target him to be recruited.

Gang members intimidate the new arrivals to create fear and this makes the new arrival more vulnerable for further manipulation. This intimidation can include different levels of violence in order to satisfy the needs of the gang (Haysom & Schurink, 1989).

Gangs will approach all offenders admitted to a correctional centre to find out to which gang the offender belongs (remove *stimela* – *the number gangs during a process is called stimela*) and for recruitment. There are specific characteristics that gangs look for when doing recruitment.

Fellow inmates are used to do dirty work for gangs. This may vary from an individual having sex with his teachers or where the *franse* has to conduct a commercial transaction, for example selling his watch. Permission must be granted from the *ndodas* in his cell. The *franse* have to keep the cells clean and make sure the *ndodas*' clothes stay clean. Everything belonging to the *franse* must be submitted to the *ndodas* (Van Onselen, 1984:368–397).

2.5.2 Violence and the function of violence

According to Chris Malgas in *Corrections@Work* February–April 2015 (A journal for correctional officials), gangs are:

“stepped in a mythology that dates back to 1886, having a secret language that the uninitiated doesn't understand, believing that the value of a correctional official is no more than a packet of chips and coke, living a life of violence that begets violence, and going 'behind the mountain' to schooled in the rituals, behaviour and rules of the number gangs.”

This description is quite apt for the life of an offender who is part of one of the existing number gangs within correctional centres. From time to time gang fights flare up in correctional centres. Since 2013 it has become more violent against members of the Department of Correctional Services.

The White Paper on Corrections (2005:79) states that the pervasive manner in which prison gangs assert control over the management of Correctional Centres requires a prison gang management strategy. Alongside the presence of gangs, there is an unacceptable level of violence at correctional centres that violates the safety of inmates and correctional officials.

Structural damage occurs from time to time. Cells are burned down, windows broken, there is frequent damage to electrical installations and the loss of mattresses and bedding, all of which must be replaced at the cost of the taxpayers.

There is no doubt that the recruitment ritual is an initiation into manhood. Offenders are taken away from the context of family and work run riot with each other. Violence has at least three vital functions in number gangs:

- Inmates are turned into men rather than boys. That is why an offender has to earn membership of a gang.
- Violence is used to patrol the boundaries of gang space against correctional officers, boundaries within which men can be men.
- Violence divides the offenders into men and “women”, thus masking the intolerable ambivalence of the offender who is also a passive sexual partner (Steinberg, 2004:305).

The meaning attached to “manhood” in prison demands a capacity to both use and withstand violence (Steinberg 2004:1-427), the ability to manipulate others and self-sufficiency. Violence is used to sort out sexual roles. Someone who has been made into a “woman” and who wants to escape this abuse and be promoted to “manhood” is expected to commit violence to prove his worthiness. (Gear & Ngubeni, 2002).

This resonates with Whitehead’s (2005:411) analysis of men’s violence in contexts where men feel threatened and are compelled to prove their “manhood”. Whitehead identifies two categories of violence used to assert masculinity amongst men in such contexts. While the first establishes both victim and perpetrator as manly and “worthy rivals”, the second category of violence functions to exclude victims from the category “an”. Rather, it positions him as unworthy of manhood and turns him into a “non-man.”

The rape of men in prison can be seen as an example of this second type of violence: it is understood to turn the victim into a non-man (‘woman’) while confirming the masculinity of the perpetrator. On the one hand the violence of rape is seen as destroying the victim’s claim to masculinity, which in turn is about a fundamental loss of respect and identity amongst peers (O’Donnell, 2004:44). On the other hand, once an initial rape has occurred, the legacy of the supposed loss of masculinity and enforced feminized identity is that the victim is viewed as

sexual property, so paving the way for further sexual abuse. (Gear & Ngubeni, 2002) The notion that ‘real’ men cannot be raped and that if they were real men they would have managed to fight off attackers, is widespread in society generally (Scarce, 1997). Consequently there is minimal, if any, room in prevalent understandings of masculinity for experiences of men’s victimization.

2.5.3 Forced sexual activity and rape

The Department of Correctional Services has thus far failed to engage with the problem of sexual violence in prisons. There is no adequate support for victims

Different kinds of sexual interactions take place between men in South African prisons. Most of these are abusive, exploitative and involve rape. New offenders are vulnerable because they are not used to the rules and are easily manipulated. They are regarded as a source of material goods, sex and potential new gang members. The trauma of unwanted sex demolishes the victim’s manhood as he is turned into a “woman”. Rape and coercion are therefore used to impose a feminized identity on a portion of the male inmate population in a brutal manner (Sean *et al.*, 1995:413). According to Harvey (2002:1-9):

“Rape and other forms of sexual violence are part of the correctional centre culture in South Africa. Survivors of rape and other forms of sexual violence in correctional centres require trauma counselling. Efforts must be made to break the culture of rape in prison. Rape in correctional centre impacts directly on sexual violence outside the prison. The cycle of victim-perpetrator ensues from untreated rape of male inmates.”

Harvey emphasizes that rape causes significant trauma, which is even worse in the correctional centre situation. As Harvey (2002:1-9) says: “Any form of sexual violence results in much trauma and suffering on the part of the victim. Being an inmate does not change the traumatic effects of sexual violence on a victim.”

Sexual violence in prisons is a global problem and one typically marginalized by correctional administration and research on prisons, with the result that we do not have a clear understanding of its true extent. Nevertheless, the growing body of evidence in South Africa, together with that from other contexts, support the view that there can be little doubt that the problem is widespread

and in urgent need of attention. After years of sometimes hopeful, but frequently disappointing and frustrating attempts by activists, researchers and individuals in the Department of Correctional Services to place sexual violence behind bars firmly on the South African agenda, there is finally cause for cautious optimism. Important legislation includes the Criminal Law (Sexual offences and Related Matters) Amendment Act, 2007, that recognizes that both men and women can be raped. This should assist the Department of Correctional Services in tackling sexual violence in its centres. The issue has also received public coverage through the open sessions of the Portfolio Committee on Correctional Services, which has recognized that the matter requires attention. An April 2010 meeting of the Portfolio Committee dedicated to this issue suggested that at least some members intent on keeping it on the agenda. (Parliamentary Monitoring Group, 2010). Most significant is DCS's recent commitment to development relent policy. So, while the bulk of the work remains to be done, one can hope that these moves signal a real chance to finally tackle the problem.

However, without an appreciation of the cultural workings involved in the dynamics of sexual violence, we are unlikely to make much progress in tackling it. A key challenge for the drivers of these new policy processes will be to ensure that they engage with the social and identity-shaping dynamics involved in the sexual violence, central amongst which are destructive ideas about gender and sexuality.

During 2000 and 2001, multiple-session focus groups with young offenders were conducted along with a focus group and individual in-depth interview with ex-prisoners in Gauteng (Gear & Ngubeni, 2002). Although based in Gauteng, some respondents had been incarcerated in prisons in other provinces as well. This was exploratory research that sought to understand the nature and circumstances of sex and sexual violence taking place in men's prisons. In 2004 and 2005 the Centre for the Study of Violence (CSV) surveyed juvenile inmates in a Gauteng correctional centre by administering questionnaires that posed questions about their experiences with violence, sex and sexual violence in prison. It also probed the more general features of their personal lives and experiences in prison including issues related to HIV and AIDS, sexuality and gender (Camilla, 2004). In addition, the CSV has recorded views that have repeatedly emerged in capacity-building and awareness-raising processes with Department of Correctional Services staff, locally and nationally, over a number of years.

The starting point for this research is the finding that male perpetrators of same-sex rape in correctional centres are relatively forthcoming in talking about this violence, whereas victims are reluctant to report the same violence. The article explores this issue in context and shows that the greater ease with which perpetrators talk about their violent behaviour is explained by the social place sexual violence occupies in prison. The article also reveals how particular notions of gender and sexuality are related to violence in way that reverberates far beyond prison walls.

Understanding and experiences of sexual violence in men's prisons are strongly influenced by dominant inmate culture. The behaviours and beliefs that make up this culture are considered "normal" in that context and upheld by those inmates wielding power.

Sexual violence in prison is interwoven with the hierarchies and rituals of these gangs. So, for example, coercive sexual relationships are structured into gang hierarchies, and sexual violence is used in the classification of new members into these hierarchies (Albertse, 2007). While sexual activity is embedded in inmate and gang culture, the ways in which the culture normalizes violence simultaneously makes it invisible. As one respondent said,

If... sex[is done to you],... you are now a woman... There is nothing we can do... and we don't care... When [you] walk past people want to touch [you] or threaten to rape [you] (Gear & Ngubeni, 2002).

Another aspect of invisibility is that sexual violence is normalized through forced partnering, which is often referred to as prison "marriage." (Gear, 2004). Most rape victims are taken as wives or "wyfies" in forced "marriages" by perpetrators who are viewed by members of the dominant culture as "men." "Wyfies" (who have had this feminized identity imposed on them) are seen as the means to gratify 'men's' sexual needs and, in the majority of cases, "marriages" becomes a state of on-going sexual abuse for "wyfies."

While these marriages are abruptly and brutally brought about through rape and various degrees of coercion (many of which now fall into the legal definition of rape as determined in the Sexual Offences Act (2007), and implied through its definition of consent), in more than a few ways they also mimic heterosexual marriages outside prison. This resemblance is drawn on to justify and legitimize these unions. Inmates say things like, "but prison wives are treated just like

women outside” (Gear & Ngubeni, 2002). Ultimately “marriages” also veil the issue of violence by the way their protagonists are referred to: victims are “wives” and perpetrators “husbands.”

There is also a temporal aspect to this. Inmates have identified and named rape and the threat of rape, as being at a height when people first arrive in prison, but say that it then dwindles and that sex happens much more by agreement thereafter. It appears, however, that in ‘marriages’ the level of very direct does not necessarily diminish. Rather, the force, together with any recognition of its victim, recedes from sight because it is contained in the “normal” recognizable institution of “marriage” (that may appear just like marriage on the outside). This is also apparent in other characteristics of the forced “marriage.” For example, the “husband” (perpetrator) is expected to provide his “wyfie” with goods and luxuries (Booyens, 2008). Pertinent too is how, in some respects, the “marriage” may serve to “protect” the “wife” from other forms of violence. Without being “owned” by a “husband”, inmates who have had a feminized identity imposed on them risk being abused by other inmates who would regard them as available sexual property (Dumond, 2006). These “benefits” of the “marriage” assist in conceptually obscuring the violence and exploitation on which it is predicated.

Other powerful discourses focus very specific unwanted attention on the victim, blaming him for what has happened to him and building the perception that rape is the victim’s fault and the perpetrator has done nothing wrong (Albertse, 2007). While these discourses work to make the violence seem normal and acceptable (or hide it altogether) at the same time as stigmatizing victims, there are other forms of violence that are central to establishing identities that are desirable and validated in inmate culture.

2.5.4 Drugs as part of violence in correctional centres

The price of drugs fluctuates, but in general, the prison value of Mandrax, crack and cocaine is about double its street value. The reason for this is:

- Smuggling drugs into the correctional centre is risky and expensive (the bribing of correctional officials, the risk of detection).
- The profits of the correctional centre drug market are spread wide. Merchants sell with the permission of a gang; the gang itself takes a healthy cut and pools its income collectively. Profit margins must therefore be large.

- Drugs in the correctional centre are scarce the demand exceeds supply by a wide margin.

2.5.5 The lack of a suitable response from staff members at correctional centres

The official response of the Department of Correctional Services and its staff to sexual violence, as articulated through actions and policies, has lacked consistency and commitment.

The Department of Correctional Services has over the years started sporadic initiatives seeking to remedy the generally unacknowledged status of sexual violence in prisons. However, these have been dogged by problems, including personnel and leadership changes, uneven commitment to the issue by consecutive leadership, restructuring, bureaucracy, a lack of priority given to the issue, and a lack of follow through when attention is given to the issue.

While a few individual staff members and centres have taken steps to address rape in their localities, they have done this without the assistance of departmental policy or guiding framework on the issue (Booyens, 2004). The Correctional Service Act 1998, for example, makes no mention of sexual violence and a brief section on sexual assaults in the more detailed B Order (which delineate staff duties) provides only vague and minimal direction to staff, and then mainly medical staff (Correctional Services Act 1998). Existing evidence, however, highlights severe gaps in medical officials' handling of cases (Karp, 2000). The most common scenario seems to be that staff, who receive no dedicated training to deal with sexual violence, operate on the assumption and acceptance that it is 'part of prison life' and/or not something they can do- or expected to do – much about. (Dissel & Gear, 2010) Staff complain, for example, about a lack of management prioritization of the issue, of relevant training and of mechanisms to deal with perpetrators and protect victims (Dissel & Gear, 2010). The result is that widespread abuse fails to get close to the attention it requires, and Department of Correctional Services fails in its obligation to keep inmates safe.

Ultimately, albeit in ways different from the inmate culture, official practices also make prison rape invisible. Quite literally, rape is not evident in the prison records of violence (Booyens, 2008). There is no category for rape/sexual assault in DCS data gathering systems. If an inmate is raped, this is recorded as "assault".

The invisibility of rape in the records is echoed in the lack of support services available to victims, as well as the lack of mechanisms to prevent and detect abuse and deal with perpetrators (Muntingh & Tapscott, 2010). The DCS complaints mechanism for prisoners has also been shown to be ineffective for serious and sensitive complaints, and inmates regard its efficacy with scepticism (Law Society of South Africa, 2004). Many staff members apparently accept the camouflaging of sexual abuse in the forced “marriage”- type relationship as determined by the inmate culture (discussed above). Anecdotal evidence emerging from workshops and meetings with staff reveals a tendency to view sexual encounters between inmates that are obviously coerced, as consensual. The way in which the discourses surrounding “marriages” succeed in normalizing and legitimizing violence among the inmates population thus also seems to determine staff members’ attitudes to sexual violence.

A survey of juvenile inmates in a Gauteng correctional facility the lack of the capacity among staff members to make sure they deal with sexual violence. (Gear, Isserow & Nevill, 2006:28) (The incarcerated youth were markedly more pessimistic regarding staff members’ handling of sexual assault, compared to their handling of general assault. Pessimism increased with time spent in prison, suggesting that the more they had seen how things worked, the more pessimistic they became. Twenty-six per cent of juvenile inmates who had been in the centre more than a year agreed that, “Most officials won’t do anything to stop it if they know about a prisoner being forced to have sex against his will” (Gear, 2010). Twenty per cent of these inmates agreed that, “With most of the correctional officers, if you report that you’ve been raped they are likely to joke about it and say something like “such things are part of prison life” (Gear *et al.*, 2006).

The lack of awareness of the dynamics of sexual violence, as well as oppressive attitudes to gender and sexuality, are related to a historical failure by the department to acknowledge and prioritize sexual violence and sexual health, both issues of magnitude for detention settings.

Moreover, the policies governing the work of correctional officers (Correctional Services Act 111 of 1998) do not state just what is and what is not allowed (Fourie, 2005). This manifests in confusion amongst staff across the DCS hierarchy about the acceptability or unacceptability of different sexual behaviours among inmates. Part of the problem is that in the absence of a clear framework and policy, different behaviours are often conceptually conflated. In other words, sex is not differentiated from sexual violence. This is evident, for example, in staff members’ use of the term “sodomy” in ways that do not distinguish sex from rape (Gear, 2004). Ultimately, such

conflation acts to keep sexual violence hidden while at the same time generating homophobia (by muddling consensual sex between men with rape), and jeopardizing health initiatives to promote safe sex. A clear symptom of the latter are emotionally charged, erroneous expressions by many people working in prisons that making condoms available to inmates encourages sexual violence, and that to reduce sexual violence we should halt access to condoms. The same arguments have been put forward by individual members of oversight bodies, pointing to the urgent need for raising awareness on these issues and a need to tackle associated homophobic attitudes (Parliamentary Monitoring Group, 2010).

While apparently these views are not representative of oversight committee members, (Parliamentary Commentary Group, 2010) the absence of responses that clearly establish the facts and separate the issues, is notable and concerning. Such mudding endangers progress made in securing access to condoms for inmates to address the spread of HIV/AIDS and other STIs. Even with an HIV and AIDS policy (2006) that requires condoms to be available to inmates (albeit still with gaps) (Muntingh & Tapscott, 2010), such attitudes impact on implementation: staff are reluctant to make condoms available, inmates are increasingly hesitant to seek condoms, and homophobia is endorsed because seeking condoms (for consensual sex) is erroneously assumed to present evidence of violence (United Nation Office on Drugs and Crime, 2006).

Overall, the official lack of adequate attention to sexual violence in Department of Correctional Services facilities endorses destructive notions of manhood by failing to recognize and support male victims of rape. However, the discourses and beliefs that feed this situation are prevalent in society more broadly, where we are attached to ideas of men's invulnerability (Singh, 2005).

In recent and overdue initiatives, both in Department of Correctional Services and society more broadly provide scope for cautious optimism. Male victims of rape have finally been recognized in South African law with the adoption of the Criminal Law [Sexual Offences and Related Matters Amendment Act, 2007]. While Munting and Satardien (2007) note that prison contexts were neglected in the drafting of this legislation, the new provides much needed guidance for differentiating coercion from consent and established a range of crimes pertinent in prison settings. Moreover, senior Department of Correctional Services officials have committed the department to tackling sexual violence. A policy framework for managing this is in progress, and the department has undertaken to rectify the absence of sexual violence in prison records (Parliamentary Monitoring Group, 2010).

The firm and keen interest portfolio committee of Correctional Services also gives hope. The greatest challenge remains for Department of Correctional Services and those overseeing correctional centres to ensure that these initiatives do not fall victim to the same fate as previous initiatives (such as the anti-rape strategy initiated in 2002 and Commissioner Peterson's prioritization and exposure of the issue in 2008) and to ensure that commitment is maintained so that inmates and staff at local level rapidly feel the benefits.

It would be pertinent to consider another discourse that tries to oppose the dominant culture that makes the rape of men in prison invisible. This disclosure informs activists attempting to obtain recognition for victims of prison rape (Donaldson, 1993). They have highlighted the potential for male rape victims to themselves become violent in the future, so, in its bluntest form, a regularly stated argument is put forward that, unless we pay victims the attention they deserve, they will become rapists on the outside in attempt to "regain their manhood."

The interplay between victimization and potential perpetration is a complex one. Social and psychological factors will indeed see some victims become perpetrators (Albertse, 2007). However, it is by no means a certainty that aggression and violence follows sexual victimization

2.6 FACTORS CONTRIBUTING TO GANGSTERISM INSIDE CORRECTIONAL CENTRES

2.6.1 Factors impacting on and the operations of the Department of Correctional Services

Certain aspects of the correctional environment contribute to the continued existence of gangs in correctional centres. Overcrowding and the use of large communal cells not only complicate effective supervision and control, but also encourage the formation of gangs as offenders are denied access to privacy or the individualisation of living space. A lack in privacy is an important element in breaking individuals down psychologically and reducing them to faceless numbers.

Boredom plays a crucial role in the formation of gangs. Especially in maximum security sections/centres where many of the inmates are illiterate, underdeveloped recreational facilities

take their toll. Restlessness and a low frustration threshold are two results of boredom experiences by inmates.

The lack of positive and immediate responses by officials to complaints and requests of offenders also add to feelings of inferiority and these feelings escalate when complaints are not resolved and when requests are not fulfilled. The degree of these feelings is difficult to assess and, therefore, correctional centres “administer” large groups of people.

The crimes committed by offenders in correctional centres differ greatly. Rapists, murderers, former street gangsters and pickpockets are all sharing the same living space. Exclusive contact with hardened criminals can lead to “moral blunting”.

The cynicism that long-term inmates display towards human life and fellow-inmates is a result of the cynicism they feel towards their own life and circumstances. A lack of information networks to assist with obtaining information regarding decisions of gang leaders and planned actions by gangs can contribute to gangsterism.

Insufficient staff members especially during breakfast/lunch hours, over weekends, payday, unlock and lockup and on commemoration days can also contribute to gang-related activities in correctional centres. These are critical times in correctional centres and gangsters observe that only a few officials are present or officials become less vigilant and they use these opportunities for their own activities.

Non-adherence to control measures with regard to movement and placement of inmates in specific cells can lead to feelings of aggravation – when offenders are allowed to change cells without the permission of unit managers.

The insufficient maintenance of intercom/alarm systems can cause the unavailability of facilities in cells in cases of emergency – especially after hours. Gangsterism can also be caused by managers not giving attention to prior warnings provided by offenders (whistle blowers) or planned assaults. Insufficient knowledge or experience of gang activities plays an important role. When officials do not have the necessary skills to effectively handle interpersonal problems amongst offenders and when they cannot handle conflict situations effectively.

When an induction programme is insufficient to provide newly admitted offenders with all of the necessary information, especially regarding the rules of a correctional centre and where services are rendered and how to make use of these services. Favouritism with regard to members of specific gangs displayed by officials.

2.6.2 Additional aspects concerning the operations of the Department of Correctional Services

These operations are targeted by gangs to especially establish unofficial links with their community contacts. Establishing unofficial links with community contacts can occur in the followings ways:

2.6.2.1 *Visitors*

Visitors are used as information links and for smuggling. When the security is not up to standard, visitors can be used to a greater extent for the smuggling of items, such as drugs, cell phones and weapons. Female visitors are often used for smuggling drugs.

2.6.2.2 *Appointments outside correctional centres*

When inmates have an appointment with a doctor, dentist or physiotherapist, ideal opportunities exist to smuggle goods. Contact with family or friends can also help to establish a smuggling network. Other opportunities occur for obtaining certain favours, such as meetings with females and outside contacts. Manipulation plays an important role during these appointments.

2.6.2.3 *Court appearances*

During court appearances, there is always contact with family members or friends. It is easier to establish a smuggling network with family members, friends and outside contacts. Inmates can make use of environments inside a correctional centre through the use of legal processes – establishing contact persons in the legal system. The unsatisfactory outcome or expectation of legal actions can lead to gang violence, which can later be used as justification in further legal actions – the manipulation of the legal system. Successes in this regard are viewed as a

motivation for offenders to join gangs. Legal visits are regarded by gangsters as a very important avenue for networking.

2.6.2.4 *Work teams*

Work teams provide ideal opportunities for obtaining items for smuggling. It is relatively easy to smuggle items into a correctional centre via work teams. Gangs make sure that their members are part of work teams by manipulating or bribing officials. The kitchen and general maintenance are regarded as the “work place” of the 28 gang. The mess, kiosk and recreation area are regarded as the work place of the 26 gang. The 27 gang prefers jobs as cleaners so that they can move between places. When cells are allocated to inmates with specific religion beliefs, these cells are often used to promote the interest of a gang.

2.6.2.5 *Mail*

Mail is sometimes used for sharing general information – not for sensitive information and not used for networking. Gang members communicate with the aid of a gang language whenever sensitive information needs to be communicated. Gang members write to one another when they are transferred to inform them or keep them up to date with progress made in gang activities.

2.6.2.6 *Telephone calls*

Telephone calls are mostly used for networking to arrange escapes, to plan crimes or hits. Cell phones are smuggled into correctional centres and are used to communicate with gangsters on the outside or to establish connections with the outside to intimidate officials and their families. Cell phones provide gangsters with the means of obtaining immediate and on the spot information in terms of the execution of planned actions – new technology cell phones allow internet access, which can lead to a new field of crime. Pay telephones are only used when necessary. As in the case with mail, these calls are traceable. When pay telephones are poorly managed by officials, gangsters will use this opportunity for illegal purposes.

2.6.2.7 *The use of official bodies/structures inside correctional centres*

Networking and channelling communication are done by making use of official structures, such as the PMC, recreational committees, HIV committees or other bodies inside correctional centres.

2.7 RECRUITMENT METHODS OF GANGS IN CORRECTIONAL CENTRES

Gangs in correctional centres closely follow media reports on prominent cases (newspapers, television, radio) and when such offenders are admitted, gangs are already informed about the possible vulnerabilities of these offenders. Vulnerabilities are used to recruit new members. Visitors also provide news clippings of prominent gang members who were killed on the outside.

Recruitment happens during the first six days of admission and is initiated by more than one person. The gang members from “stone yard” (privates) have specific roles during this recruitment process of which the following two are the most important:

- Manipulation

Gang members need to manipulate new admissions in order to ensure a constant flow of money and other articles that can be sold to utilise income for the benefit of inside operations of gangs. They watch out for offenders who come from rich families or receive lots of money or goods and then these new admissions are recruited.

- Intimidation

New admissions are intimidated to instil fear and to make these new arrivals more vulnerable and susceptible to further manipulation. Intimidation can include different levels of violence in order to satisfy the needs of a gang.

New admissions join gangs after manipulation and intimidation took place to ensure their safety and security inside a correctional centre; to satisfy their need for money and goods; for protection and access to support systems; to be recognised; to be accepted; to gain power, prestige and status; to experience a sense of belonging; and to share the same views, outlook on

life and aspirations of a gang. However, some offenders join the 26 gang to prevent the 28 gang from using them as “wyfies”.

Typical newly admitted offenders who will join a gang for:

- pro-criminal entertainment,
- status,
- excitement,
- camaraderie,
- prestige,
- and protection (Sanchez-Jankowski (1991))

2.8 CONDITIONS THAT HAVE AN INFLUENCE ON GANG ACTIVITIES WITHIN CORRECTIONAL CENTRES

The harsh conditions inherent in correctional centre life and the reintroduction of mandatory minimum sentencing contribute to gang formation. Mandatory minimum sentencing means that correctional facilities are increasingly filled with long-term inmates. The indifference and even corruption as a result of the lure of money and/or safety from attack on the part of Correctional Services staff members also have an influence.

High recidivism rates and the continuous movement of inmates into and out of correctional centres create a revolving door of gangs entering and leaving correctional centres because gang associations formed outside of correctional centres will continue outside and vice versa.

The reality is that most inmates become hardened criminals by the time they are released. The crime skills they acquire and gang associations they inevitably form during their imprisonment return them to a life of crime on the outside (Dissel, 1996).

2.9 CHALLENGES FOR THE DEPARTMENT OF CORRECTIONAL SERVICES

The Department of Correctional Services aims to address a number of challenges in the immediate and short term. The first aim is to reduce the influence of correctional centre gangs on

inmates and to minimize correctional centre gang violence and the most pernicious aspects of gang activities. To reach such a point, the department would have to ensure that control rests with correctional centre management and Correctional Services staff.

There are several internal challenges that the department has to overcome to minimize unrest. There is a lack of positive and immediate response by officials to the complaints and requests of offenders and failure to resolve such complaints and requests. The degree to which this contributes is difficult to assess and to some extent it is a product of any institution “administering” large groups of people. Another challenge is the presence in correctional centres of all varieties of inmates, ranging from rapists, murderers and former street gangsters to pickpockets. Exclusive contact with criminals may lead to “moral blunting.”

What is more, there is an insufficient staff complement, especially during breakfast/lunch hours, over week-ends, paydays, unlocking and lock-up and commemoration days etc. to ensure adequate supervision. The mentioned times are critical times and gangs observe that during such days or times only a few officials are present or officials become less vigilant and they use these opportunities for their own activities. Non-adherence to control measures for the movement and placement of inmates in specific cells. For example, allowing offenders to change cells without permission from the Unit Manager. Insufficient maintenance of intercom/alarm systems, causing unavailability of such facilities in cells after hours in cases of emergency.

Sometimes managers do not attend to warnings (whistle blowing) or planned assaults. Warders themselves may have insufficient knowledge about or experience with gang activities. Such a lack of skills among officials to handle the interpersonal problems of offenders and conflict situations effectively, leads to an escalation of the problems.

In the last instance, there is a lack of proper induction programmes for newly admitted offenders regarding the rules of the correctional centre. New inmates receive no indication of services rendered and how to obtain it. All the above is made worse by favouritism. Some officials favour members of specific gangs. In such cases gangs will ensure that their members are part of work teams by means of manipulating or bribing.

2.9.1 The challenge after release – with no interference

As inmates are released into the community on parole, they become involved in actions related to the prison-gang business. Consequently, it is no longer just a corrections problem – it is also a community problem.

2.9.2 Build on restoration through restorative justice

In ancient times, behaviour that was considered to be in violation of social norms was dealt with by the immediate community and usually took the form of restitution and compensation.

These traditional justice systems were thus more concerned with the victim and restoring the original order to harmony prior to the offence, than with vengeance or punishment.

2.9.3 Government goals

The Department of Correctional Services envisioned an anti-gang strategy in its White Paper on Correctional Services that was adopted by Parliament in 2005. They use rehabilitated ex gangsters to work with juveniles because there are few preventative programmes for them.

They come in from the streets still under the influence of drugs. There is no psychological intervention regarding drugs and the seriousness of the crime committed on behalf of drug dealers and gangsters. (White Paper on Corrections : 2005, Correctional Services Act 111 of 1998)

2.10 SUMMARY

Gang violence remains one of the single most important threats facing the Department of Correctional Services. Civil society does have a role to play in the dealing with gangsterism inside the prison since nowhere in the world has correctional services alone been able to deal with gansterism. It requires and integrated partnership between auxiliary departments and civil society, as well as all organs of the criminal justice sector.

Ordinary citizens often make the mistake of thinking that gangs are abnormal. However, the members are people from the community, husbands, brothers, sisters, ordinary people. The development of gangs in South Africa has to be examined. According to Bertolt (1934):

“The bourgeoisie’s fascination with bandits rests on a misconception: that a bandit is not a bourgeois. This misconception is the child of another misconception: that the bourgeois is not a bandit.”

Chapter 3 examines gang culture and the reasons why inmates choose to become part of gangs.

CHAPTER 3: THE HISTORY OF THE SOUTH AFRICAN PENAL SYSTEM AND CORRECTIONAL CENTRES DURING DIFFERENT PERIODS

In an effort to come to grips with the nature of gangs, this chapter examines the intricacies of gang operations and gang culture by means of observation (Section A). The chapter then proceeds to probe the reasons for gang membership by means of questionnaires (Section B).

3.1 OBSERVATIONS OF GANG OPERATIONS AND GANG CULTURE

3.1.1 INTRODUCTION

Correctional centres were introduced in South Africa by Dutch colonists, but it was after the British occupation that the penal policy, including incarceration, began to take shape. Historically in South Africa as in England, the duty of the correctional centre administration to reform criminals was interpreted in order to accommodate the economic needs of the age.

With the abolition of slavery in 1834, policy began to be shaped by the country's labour demands. During the 1840s and 50s, many public projects were constructed using correctional centre labour.

Inmates at the Breakwater Correctional Centre, now a historical landmark, were used to construct the breakwater, which protects the Cape Town waterfront.

Initially, offenders were punished when they became members of a gang and were isolated and sent to Robben Island. In 1914, the State got the upper hand according to the Minister of Justice. In 1920, the gangs were non-existent in their original form, but they became entrenched in correctional centres. By 1927, the gangs opened its operations in Barberton Prison.

During 1945 the Landsdown Commission on Penal and Correctional Centre Reform found that the Correctional Centres and Reformatories Act of 1911 did not make provision for changes in the new South African correctional centres (White Paper on Corrections, 2005:26) and:

- held the view that offenders should not be hired out to outsiders;

- asked for an increase in the emphasis on rehabilitation and the need to extend literacy amongst offenders, in particular black offenders; and
- was critical of the government's decision to reorganize the correctional centre service on full military lines, which was seen to be an attempt to increase the control it had over correctional centre officials.

The Landsdown Commission Report that was presented in 1945 did not address the use of correctional centre labour by farmers. Inmates were not detained on a large scale before and up to 1960. Political detainees and sentenced political inmates became a reality in prisons. Wider powers were granted to the correctional centre authorities. During the 1960's and 1970's the new correctional centre legislation in the form of the Prison's Act (Act 8 of 1959) was introduced, and it:

- reflected little transformation of the correctional centre system;
- continued and even extended racial segregation within correctional centres in line with the national policy of "differential development" signalled in by Apartheid;
- abandoned the "nine pennies a day" correctional centre labour scheme and replace it with a system of parole;
- entrenched the military character of the correctional centres management, and made provision for commissioned and non-commissioned officers;
- closed the correctional centre system off from inspection by outsiders by prohibiting reporting and publishing of photographs. This served to entrench a relatively closed institutional culture within the correctional centre service, which resulted in a tendency for the norms of correctional centre law to be relatively remote from daily practice; and
- did not give essence to the internationally accepted meaning of the word parole since it still required of paroled inmates to enter into employment agreements with employers (mainly farmers) at ridiculously low remuneration or else to remain in prison.
- ignored crucial aspects like the prohibition of corporal punishment for correctional centre offences but it took the cognisance of the United Nations Standard Minimum Rules for the Treatment of Inmates on rehabilitation.

During the 1980's the major cause of overcrowding in correctional centres was the incarceration of inmates because of influx control measures. This was according to the structure and functioning of the courts. There was a closing down of correctional centre outstations and a decline in correctional centre labour for all agricultural purposes, and so the paid contracts of patrolling inmates was phased out. Correctional centres stayed overcrowded, but rehabilitation processes were still taking place.

The State of Emergency from 21 July 1985 onwards overshadowed the correctional centre system, but it only lasted until 1990. In 1990, the government announced that they planned extensive reform in the correctional centre system, and then the Correctional Centre Service split from the Department of Justice and became the Department of Correctional Services.

A new concept was introduced where certain categories of offenders are dealt with in the community itself rather than inside the correctional centre. This system is called "correctional supervision", which is also known as a non-custodial system.

Awaiting trials detainees are still kept in the Department of Correctional Services facilities. There is no policy for the awaiting trial detainees concerning the responsibilities of the Department of Correctional Services.

A credit system was introduced where inmates could earn credits for appropriate behaviour. The department focused on barriers for the promotion for black members. The Correctional Centres Act was amended and therefore no member can join a union without the permission of the Commissioner and it is illegal for a warder to strike.

The government introduced the Public Service Labour Relations Act during 1993 with new transformation. This Act was necessary to protect public service employees against unfair labour practices, and was applicable to the Department of Correctional Services just before the elections of 1994. The employees are now allowed to join trade unions. Employers engage in collective bargaining and disputes can be referred and declare to the Conciliation Boards and to the Industrial Court.

According to the principals of freedom and equality, a White Paper on the Policy of the Department of Correctional Services was introduced on 21 October 1994.

New democracy in the Department entailed:

- changes in the personnel and management of the Department of Correctional Services;
- as far as the Department's rehabilitation responsibilities are concerned they demilitarized on 1 April 1996;
- that the department makes sure that it is effective in the international arena;
- the appointment of an Inspecting Judge to investigate the Department's activities; and
- the immediate transformation of the Department in 1994 with a focus on safe custody.

The National Crime Prevention Strategy (NCPS) was approved in 1996 by the Cabinet, the Integrated Justice System (IJS) was adopted and aimed to see to it that the criminal justice system is more efficient and effective by means of Pillar 1 of the NCPS. The risk of re-offending must be reduced. The aims of the programmes are to:

- increase the efficiency and effectiveness of the criminal justice system as a deterrent to crime and as a source of relief and support to victims;
- improve the access of vulnerable groups to the criminal justice process, including women, children and victims in general;
- focus the resources of the criminal justice system on priority crimes;
- forge inter-departmental integration of policy and management in the interest of co-ordinated planning, coherent action and the effective use of resources; and to improve the service delivered by the criminal justice process to victims, through increasing accessibility to victims and sensitivity to their needs.

The national programmes of the Pillar 1 of the NCPS includes:

- Re-engineering of the Criminal Justice Process
- Criminal Justice Information Management
- Crime information and intelligence
- Prosecutorial Policy
- Appropriate Community Sentencing

- A Diversion Programme for Minor Offenders
- Secure Care for Juveniles
- Rationalization of Legislation
- A Victim Empowerment Programme

Serious offenders must be dealt with more effectively according to The National Programme on Appropriate Community Sentencing. Minor offenders must be considered for community sentencing options and therefore to reduce the burden on the Correctional Services Department. The Department of Correctional Services must be assisted by the Departments of Welfare, Justice, Safety and Security, the Law Commission and NGO's in every way during offenders' rehabilitation.

According to the National Programme on Diversion for Minor Offenders, juveniles and petty offenders must be dealt with outside of the criminal justice system. Youth offenders with serious offences must be kept in a standard correctional centre or police cells. There are generally two broad categories of gangs, namely number gangs and organized gangs. Organized gangs make use of youngsters that smoke dagga, drink alcohol, use drugs and intimidate others. They rob and steal to support their drugs and alcohol needs and are mostly bound to their neighbourhood. It is believed that some 200 gangs exist in the Western Cape alone. The organized gangs are of major significance since they are more committed to crime to promote their objectives. The number gangs that operate in correctional centres are included in these organized gangs. The organized gangs also utilize the number gangs by offering them an income for stealing or selling drugs.

Members of gangs inside correctional centres can be members of gangs in the community and vice versa. It happens that offenders are informed about the activities of the number gangs inside the centre before their sentence. They can decide before incarceration where their loyalty lies.

The traditional leaders of the number gangs do not acknowledge the ranks that gang members have reached outside the centre, because these ranks were not earned through "flesh and blood". These gangsters are also not recognized as *ndotas*, but rather gangsters. When they are admitted to the centre, they are interrogated to determine their loyalty and position in the organized gang in the community. A number of gangsters are recruited from outside the centre to ease the

smuggling of drugs and money and the protection of affiliated members. They usually occupy a senior position in the community or a major organized gang (like drug lords)

It is very difficult to say why this informal relationship between prison gangs and street gangs exist. Since the early 1970s and 1980s two major street gangs have dominated, namely the born free kids (26 gang) and the scorpions (28 gang). It is also a fact that prison and street gangs are growing closer to each other. This situation can contribute towards fuelling the continued flourishing of prison gangs. This situation makes the work load more difficult for members of staff and for offenders who are willing and ready to change their lives (Camille & Camp, 1985)

In an effort to answer the fourth sub-question, this chapter looks at the different legal structures available in South Africa to help correctional facility authorities combat gang activity. The different laws and white papers are discussed individually and are related to the reality of gang activity.

Clear procedures for correctional centre gang management with prescribed rules and measures that must be consistently implemented by staff who have been thoroughly trained. These staff members should adopt a very strict policy of never compromising the approach to and method of managing gang members and gang activity. They should always adhere to strict gang management policies.

Correctional Services should remove all dictatorial arbitrariness, random actions and unpredictable decision-making. They should make sure that the problem is acknowledged and that there is no tolerance for unacceptable gang activities and gang violence.

A common and clear policy must be developed and implemented on correctional centre gang management for every correctional facility.

3.2 NATIONAL STANDARDS AND REGULATIONS THAT GOVERN GANG ACTIVITIES WITHIN CORRECTIONAL CENTRES

According to the foreword to the White Paper on Corrections in South Africa by the Minister of Correctional Services, Mr Balfour:

“For too long correctional centres have been regarded as breeding grounds of criminality, places punitive authoritarianism and back waters of everything despised by society.”

3.2.1 The Prevention of Organized Crime Act (121 of 1998)

The act quoted below introduced measures to combat organized crime in 1998. No other act has ever before addressed organized crime. The law is in general largely concentrated on the individual, and over time the loopholes created by this emphasis necessitated another approach. This act ensures just action in combatting organized crime, which would worsen had there been no such act. However, this act should be applied much more strictly. Special units such as the Hawks and other special units within the SAPS rely on this law, but there is no such division for Correctional Services.

- A. Section 9(1) (a): A gang is

a. An on-going (association/organization/group)

b. Consisting of three or more persons

c. Has (formal/informal) structure

d. One of the activities of which is the commission of more than one criminal offense

e. Has an identifying (name/sign/symbol)

f. Members (individually/collectively)

(Engage/have engaged) in a pattern of criminal gang activity

B. Pattern of criminal gang activity (exists/did exist), that is,

- Commission of (two/more than two) offenses

- At least one offence occurred after November 24, 1998

- At least one other offense occurred within 3 years of offense referred to above.

(1) Derived from the definition of “criminal gang” set forth in Section 1(1) (IV).

(2) Derived from the definition of “criminal gang activity” set forth in Section 1(1)(xi)

The accused (participated in/was a member of) a criminal gang

The accused aided and abetted criminal activity

a. The criminal activity was (for the benefit of/at the direction of/in association with) a criminal gang; and

b. The accused did so wilfully

(1) Pursuant to Section 11, for purposes of determining whether a person is a member of a gang, the court may consider:

(a) admission by the accused of gang membership;

(b) Identification of gang membership by a parent or guardian of the accused;

(c) the accused;

(I) resides in/frequents the gang’s area; and

(ii) adopts the gang’s (style of dress/use of hand signs/language/tattoos); and

(iii) associates with known members of the gang; or

(iv) has been arrested more than one, and

(a) each arrest was in the company of identified gang members; and

(b) each arrest was for an offence consistent with usual criminal gang activity.

(v) is identified by physical evidence (e.g., photographs, documents) as a member of a criminal gang.

9. (1) any person who actively participates in or is a member of a criminal gang and who

(a) Wilfully aids and abets any criminal activity committed for the benefit of, at the direction of, or in association with any criminal gang;

(b) threatens to commit, bring about or perform any act of violence or any criminal activity by a criminal gang or with the assistance of a criminal gang: or

(c) threatens any specific person or persons in general, with retaliation in any manner or by any means whatsoever, in response to any act or alleged act of violence

shall be guilty of an offence.

(2) any person who

(a) performs any act which is aimed at causing, bringing about, promoting or contributing towards a pattern of criminal gang activity;

(b) incites, instigates, commands, aids, advises, encourages or procures any other person to commit, bring about, perform or participate in a pattern of criminal gang activity; or

(c) intentionally causes, encourages, recruits, incites, instigates, commands, aids or advises another person to join a criminal gang;

shall be guilty of an offence.

More specifically related to Correctional Services, the following statutes are in place to keep gangs under control in the Department.

3.2.2 Correctional Services Act 111 of 1998

No government department can operate without a proper structure. The Act on Correctional Services provides such a structure for the work with offenders who are serving a sentence for crime or wrong-doings. The act provides a procedure for how the correctional officials must work with the offenders, discusses their rights and prescribes how correctional officials should act in violent situations. This act is very specific about torture, inhumane handling of offenders and transgressions of their human rights.

One of the prescriptions is that officials must search offenders on a regular base. The assumption is that offenders forfeit their right on privacy in total by committing an offence. On the more positive side, the act makes provision for youngsters to join the school so that they can get an education, especially those with long sentences.

One consequence of this act is that the human rights of offenders are greatly emphasized, perhaps too much. Offenders are sent from Barberton to Durban and Cape Town to participate in sport, while poor communities around the correctional centres do not even have food to eat. The money for the entertainment of offenders come from the tax payer's pocket. One possible argument is that the funding should rather be used to look into the socio-economic problems that exacerbate crime. There are correctional centres with luxuries, such as the Sondolo television system. Offenders can perhaps do more constructive things with their time.

Despite the laws and policies in place, many officials turn a blind eye. Managers are often disinterested in their jobs. They are also afraid of using any measure of force. Force must be limited, but the problem at the moment is that officials are afraid of offenders due to the severe actions taken when they resist offenders.

A simple article such as Article 4 paragraph 2(a) "The Department must take such steps as are necessary to ensure the safe custody of every inmate and to maintain security and good order in every prison", has been cutting off the hands of correctional officers.

3.2.3 The White Paper on Corrections in South Africa (February 2005) - Section 10.6 on correctional centre gangs and the safety of inmates

According to the White Paper offenders must be handled with dignity and respect. The White Paper was introduced in 2005 and it presented a new view on the correctional system. The government wanted to move away from the apartheid era system. The central idea is that offenders serving a sentence must undergo rehabilitation to become a better person so that he can be returned to society.

However, in reality there are not enough officials to assist all the offenders in all their needs because there are not enough staff members per offender. To make programmes available to all offenders, officials must be trained properly and everyone must assist in rehabilitation.

While it is true that there will be complete anarchy in correctional centres without the White Paper, the ideal presented does not translated to the reality. The White Paper compels the Department to effectively deal with gangs to ensure the safety of other inmates (see Section 10.6.1), but correctional facilities are short-staffed and expertise is wanting.

Gangs have been active in the South African correctional system over the past century. Along with the presence of gangs, the escalating violence in correctional centres violates the safety of offenders not belonging to gangs. Escalating violence in correctional centres manifests in the following ways:

- Gang-supported fights.
- Physical and sexual assaults and murder.
- Forced sexual activities or cases of rape.
- Intimidation and coerced favours.
- Complicity of or the turning of a blind eye by correctional officials in relation to violent activities.

The pervasive manner in which prison gangs assert control over the management of correctional centres requires an anti-prison gang strategy to be adopted by correctional management

3.3 INTERNATIONAL STANDARDS AND LEGISLATION

Every country's correctional services systems must be in in line with the international standards for the treatment of offenders. The United Nations plays a very big part in this as does human rights, since the human rights of offenders have been undermined for decades.

3.3.1 International Bill of Human Rights

The human rights of every person must be protected, promoted and monitored. The International Bill of Human Rights consists of three texts: the International Covenant on Economic, Social and Cultural Rights, universal Declaration of Human Rights and then also the international Covenant on Civil and Political Rights. The fundamental human rights and freedom was the first to be

marked as important according to the Universal Declaration of Human Rights (Buerghenthal, 1995:28)

3.3.2 The United Nations Convention against Transnational Organized Crime

According to the above-mentioned convention (United Nations, 2000), “organised criminal groups” are identified as structured groups consisting of three or more persons, existing for a period of time and acting in accordance to the aim of committing one or more serious crimes or offences in order to obtain – directly or indirectly – financial gain or material benefits.

Article 5 of this convention deals with the criminalisation of participation in an organised criminal group and stipulates that:

“1. Each State Party shall adopt such legislative and other measures as may be necessary to establish as criminal offences, when committed intentionally;

(a) Either or both of the following as criminal offences distinct from those involving the attempt or completion of the criminal activity:

(i) Agreeing with one or more other persons to commit a serious crime for a purpose relating directly or indirectly to the obtaining of a financial or other material benefit and, where required by domestic law, involving an act undertaken by one of the participants in furtherance of the agreement or involving an organized criminal group;

Conduct by a person who, with knowledge of either the aim and general criminal activity of an organized criminal group or its intention to commit the crimes in question, takes an active part in:

Criminal activities of the organized criminal group;

Other activities of the organized criminal group in the knowledge that his or her participation will contribute to the achievement of the above-described criminal aim;

Organizing, directing, aiding, abetting, facilitating or counselling the commission of serious crime involving an organized criminal group”.

3.3.3 Overview of gang structures

This section looks at gang structures and how this very structure affords gang members a sense of belonging and identity.

3.3.3.1 *Characteristics and classification of number gangs*

In South African correctional centres, gangsterism is prevalent and has been for decades. Some gangs organize themselves around specific themes. Many of these activities were observed by the researcher and the officials participating in the research. The number gangs in South Africa are 26, 27 and 28 and they organize themselves around theft and robbery, blood and a system of “catamites” or coerced sexual partners or “wives” respectively. The 26, 28, Air force (24) and Big 5 (25) are the most dominant existing gangs in the Department of Correctional Services. These gangs are feared by many of the offenders hosted in the same prison.

The code of conduct of the 28 gang is “written on a cow’s skin” and states that gang members must be involved with blood and poison. They are fighters, they keep “boy wives” (*wyfies*) and have to “fix the jail” if conditions are unsatisfactory according to their standards, as they regard the correctional centre as their “home.” They are for instance concerned with the quality of the food and participate in activities such as unrest and riots that are aimed at making the correctional centre ungovernable. They are organized into two groups, namely the Gold (fighters or bloodline) and the Silver (*wyfies* or light duties/private) line. The 28s *ndodas* would be found in the kitchen where they work with the food.

The 28s usually operate in the late afternoon or during the night. Their symbol is a setting sun that is often tattooed between the buttocks. New offenders are watched by a gang member, who conducts gang business in a “bush.” The offender is confronted with a riddle and the way he responds determines whether he will be recruited or not.

The chosen offender must have the ability to deal with conflict and problem solving. The recruiting offender asks a question like “when it is raining, you are under an umbrella; you see I’m getting wet and I may get sick, what will you do?” The new member must answer very cleverly. “I will come out and walk with you,” means that the new member is prepared to live the same life as the gang member; they are brothers and will live and die together.

When the new member invites the recruiter to share his umbrella, it would mean that the gang member is invited into his bed. With this answer, he would not become a member of the 28 gang, he would become a sex son. A sex son is mixed with the probationers in the silver line of the 28s and, to an outsider, he is just like a probationer, a new 28, but he is a sex object to the soldiers and the members of the gold line, who have sex with them at night. There is no progress up the silver line. The gang's history is not shared with him and he is not a real 28.

After answering correctly, the new gang member is supposed to stab a white correctional officer. This must only be a flesh wound and not near the spine or any organs. If he is too scared, a senior gang member has to do the job on his behalf and he will be punished. They also let the knife disappear just after the stabbing has taken place.

The gang members inform the new member that the correctional staff members would beat him up. They will start with this beating in front of all the offenders and it would end up in the single cells.

Members of the 28 gang stand together and show their brotherhood. They break rules like shouting or pretending to fight so that they can be put into single cells. A gang member is referred to an outside court when they stab a correctional officer. He can get an additional imprisonment term for such an action. In the correctional centre, the offender is put back in a single cell where the correctional officials deal with him in terms of the Correctional Services Act.

The gangs have a very ritualistic routine. Three days during a week is set aside for a delineated set of functions. When Friday rations are handed out, all the rations are gathered and distributed to individuals according to their ranks. On Saturdays and Sundays, the central structures of the gangs meet. Correctional officers allow them to meet unnoticed. On Saturdays, the judicial structure of the gangs meets to pass sentence on errant members. New members are scanned for illicit allegations. On Sundays, newcomers are recruited, members are promoted and victories are celebrated.

New gang members are undressed to their underwear. They are inspected to see if other gangs' numbers are tattooed on their bodies, for e.g. Big 5 – whose aim is to spy on the number gangs on behalf of the warders, or the Air Force, whose aim is to escape from prison. Should there be

any of these gangs' tattoos found on the new gang members, they will be beaten and their recruitment halted.

During the Sunday recruitment ceremony, the newcomers are placed in a cell with several other offenders surrounding them. The “*nyangi*”, the doctor, approaches them first. On the shoulders of the *nyangi*'s uniform are twelve pipes, six are gold and six are silver. The new gang members have to hold out their arms, palm upwards. The doctor takes a gold pipe and slaps it on their right wrists, then a silver pipe on their left wrists. Then he declares: “the man's pulse beats twice a year”, which means they have been received in the silver line. If he says three times a year, they have been recruited for the golden line.

Following this, the “*gwenza*” – a senior member of the silver line – places a handkerchief on the floor and slips a knife under it. Then he declares:

“From today you are no longer a franse, you are now a member of the 28 gang. You will never swear at your brother or hurt him in any way. You will never do anything that reflects badly on the camp and if you leave the camp, you will leave by your own blood.”

The rest of the ceremony describes the uniform:

“I am giving you your uniform. You have a white pair of sandals. Your socks are also white, stamped with the sign of 28 inside and outside. You have a white shirt, and a white belt with silver buckles. You have a white tunic with two buttons, stamped with the sign of 28, inside and out. You wear a green tie. You have a white jacket, which also has two buttons, the first open, because you belong to the Number day and night, the second closed, for discipline. You wear white beret with a silver badge, and on the badge a hammer and a handkerchief are engraved.”

Then the magister gives a green and white stamp and then approves their recruitment. The magister carries four stamps, white, green, red and black. When a silver is recruited or promoted, the green and white stamps are taken out. The green and red are taken out when a gold is promoted. Red signifies blood. The black stamp is reversed for the death sentence. The

magistrate takes his white and green pens to inscribe the recruitments in the 28's proverbial record book. The recruit moves out of the circle and the recruitment ceremony is over.

The week to follow they will sleep alongside different members of the 28's every night to learn their uniforms and their functions. The five members of the number gang leadership are:

- the silver-two
- the silver-one
- the Goliath-two
- the Goliath-one
- the magister

The silver-two is responsible for the security of every meeting. When a junior member stands trial for a minor infraction, the silver-two searches him for weapons, leads him into the circle, and leaves the circle to guard it. The silver-two is also responsible for the sex sons; if a soldier forces a sex son to have penetrative sex, he must report the incident to the silver-two. The intelligence officer of the twos is the silver-one. He tells the "court" about the case, the circumstances and the accusation. He also determines the punishment at the conclusion of the case. The Goliath-one is the defence lawyer. The magister is the most senior member of the twos and the prosecutor.

Members of the 28 who become old or injured sleep together in a section called the *mambozas*. There cannot be two gangsters with the same rank, one must retire.

New gangsters have to learn the correctional centre language. During the first two months in the number, you are not allowed to receive visitors, to read or to write letters, or to read books. You must only focus on the Number, and there are severe punishments for slow learners. When a recruit forgets information, he has to undress and get under a cold shower until he remembers the information. The 28s do not negotiate with words, they negotiate with action, with violence. In the 28s the gang members do not commit violence in order to join, they are rather subjected to violence.

The gangs in the correctional centres tendency is to infantilize inmates and this ritual's aim is to make inmates into men. They are not real men, but distilled, shorn aspects of whole men –

inmate men. The initiation ritual is indeed a form of adjustment, a retrieval of agency. Note how it deploys the very tool of the correctional officer to do his work. Appropriate punishment is transformed into a vital tool in the passage to manhood. Violence is shaped from a tool of mortification into a form of nourishment.

According to the gang members, there are good correctional officials and bad correctional officers. A good official will keep his office clean, will order the gang members around, but only to do things they respect, like sweeping and cleaning. He will respect the offenders as human beings, offenders' meals will not be denied, he will listen to complaints, attend to a sick offender, he will not openly say that the number gang can operate, but will respect the dignity of the offenders.

Gang members never provoke, because if they provoke and fight back they may be killed.

When an attack happened in the showers, the floors are wet and so it becomes slippery, and the offenders have to take their clothes off. Offenders are barefoot and the floor is wet. Officials wear rubber soles and their offenders are beaten.

Violence against correctional officials serves a specific function. It punishes an officer for breaking two unwritten rules: an official must treat *ndotas* as *ndotas*, and not as *franse*. They have to be treated with dignity.

There is a circular logic to this aspect of gang violence. One commits and subjects oneself to predictable ritual violence in order to forge a few simple virtues. Then one triggers the same ritual of violence to defend the space in which one practises those very virtues. The function of the violence is therefore self-reinforcing; violence protects the very virtues it creates. Schurink, 1989 Vol.2, No.2 – 60-70

In the 28 gang, the bloodline commits violence and protect the camp of the 28s and their wives. The 28s are a gang of homosexual men whose business in correctional centre is to have and sell sex (Achmat, 2002:97). Achmat refutes one of the reasons given why men choose to practice homosexuality. The reason offered is that these men choose to sleep with other men, especially younger men to avoid the "poison", women who were said to have been the source of spreading venereal diseases. Achmat (1993:99) argues that this is not true since they would not be able to verify that men would not infect other men. Achmat says:

“The Ninevites are the only correctional centre gang in South Africa who consciously adopt homosexuality as a creed, and who have a set of laws governing their sexual relations. This is not ‘accidental’ behaviour, and it did not originate in the Portuguese Territory; in compounds; or in prison; it was practiced while Nongoloza and the Ninevites were free on the hills.”

The 26's usually operate in the morning. Their symbol is a rising sun. This gang is involved with comfort and convenience, which they call “*kroon*.” They obtain goods, money, drugs, etc. by means of cunning actions. Such actions involve theft, robbery or smuggling, which enables them to lead a life of luxury (they protect their *kroon*). The gang also has a strict code of conduct and acts severely against gang members who break the code. Their code of conduct is “written in the Mokoena book.” The 26 like to get jobs close to offices where they can get information. (Haysom, 1981)

The 26's duty is to accumulate wealth for all the members. They have no private line and a *wyfie* may not join the gang. Although a member of the 26 may take a *wyfie* for himself, it is strictly against the laws as set out in the book of 26s'. The gang has a very specific hierarchy and is structured as follows:

Table 3-1 The structure of the 26 gang (adapted from Haysom, 1981)

The Number Ones	The Number Twos
(Top structure)	(Secondary structure)
Government Makwezie	General number 2
General number 1	Inspector number 2
Inspector number 1	Doctor number 2
Doctor number 1	Judge number 2
Maballaan (clerk) number 1	Captain number 2
Prokureur (lawyer) number 1	Sergeant major
Landdros (magistrate) number 1	Sergeant number 1
Judge number 1	Sergeant number 2
Captain number 1	The Heksman (guard)
	Soldiers

In the number one's and number two's, each gang has his own jurisdiction where the gang operates and discussions inside the gang is taken place according to so called 12 point ring). Each rank has its own office and duties, which includes training lower rank members in the duties and codes of the gang (Schurink, 1998). The 26s have historically been considered an inferior gang and have always lived in the shadow of the 28s. However, in some correctional centres they have risen up against the 28s and control the prisons. (Schurink, 1989)The 27 gang is the mediator between the 26 and 28 gangs, as the latter traditionally does not speak directly to the 26 gang. The 28 gang utilizes the 27 gang to convey messages and concerns to the 26 gang. The 27 gang is the protectors of the law and they correct the wrong doings of gang members by "taking blood" by means of assaults (*Slabilanga*). (Haysom, 1981) Their code of conduct "written on the plank" sometimes refers to a stone. They know the codes of conduct of the 26 and 27. They receive great respect from the 26 and 28 gangs, although they are fewer in number. They are the first to approach a newcomer to determine his *bona fide* number. They take the stimela (the number gangs during a process is called stimela) first when a new offender arrives

by means of transfers or admissions (*stofwolk*). When they determine the newcomer belongs to another number, they inform the Inspector or *Draad-and-Glas* of the respective number.

The 27 gang protect and enforce the codes of the 27 and 26 gangs. To join the 27s, you have to stab an informer (Cilliers & McKenzie, 2005:98).

3.3.3.2 Air force gangs (*Air force 3 and Air force 4*)

The declared goal of the Air Force gang, which is also known as the Royal Air Force, is to escape. Their “goods” are in “Africa” (outside the correctional centre) and must be protected. This can only be done if they are outside the correctional centre, and this is made possible through escapes. They are also referred to as “men of the wind.”

The Big 5’s are always active and involved in the actions of the other gangs and related issues. They are known as dirty dogs. The declared goal of the Big 5 gang is cooperation with the officials (*boere*) to protect themselves or fellow offenders. However, the Big 5 gang is also concerned with sodomy and smuggling. They sometimes stab inmates, but they are known for kicking and trampling inmates. They are a gang in their own right with their own rank structure, hierarchy, rules, and etcetera.

The pimps from any gang are referred to as the Big 5 as well (only a term, not a gang). Most of them end up as cleaners. The Big 5 consist of non-gang members and gang members who have decided to leave a gang. Some of them carry the tattoos of the 26, 27 or 28 gangs. Others are active in the number gangs, but provide information to officials.

3.4 GANGS IN THE COMMUNITY

Apart from gangs operating in correctional centres, there are also gangs operating in communities. These community gangs can be categorised into two broad categories:

Street gangs – these gangs usually comprise of adolescents and young adults who commit various forms of criminal acts. The level of organisation tends to vary between gangs and these gangs may have links to adult criminal organisations. They tend to be highly territorial, operating for economic reasons and are primarily involved in drug trafficking. Street gangs may also commit high levels of violence.

Structured criminal organizations/crime syndicates – these syndicates tend to be highly structured and sophisticated business operations that may operate internationally. To maintain a low profile and distance from criminal acts, these syndicates use street level groups to carry out many aspects of their business. They have been known to use children as young as 12 years old to spy, to commit break-ins, act as couriers and to engage in child pornography. Adolescents and young people have generally a low ranking in crime syndicates.

Traditionally, South African “prison gangs” were and are still strongly “preconized” and are mostly preoccupied with life in “prison”. There is, however, a growing tendency where members of gangs inside correctional centres are also members of gangs in a community and vice versa. When prominent members of community gangs are imprisoned, links are established, which are used for the benefit of both the community and the prison gang.

Examples of these links that exist between organised gangs in a community and a gang inside a correctional centre are provided below to explain some of the influences. (Dissel, A. 1997).

3.4.1 CORE: Community Outreach of Residential Estates

This gang operates closely with the Correctional “26”. The CORE identifies correctional centres from which to operate and to which to smuggle. Other gangs allow them to operate in the community and they can be seen as the decision making body of all outside gangs affiliated to the 26 gang. They will negotiate with THE FIRM (an opposing group) to determine which group will operate in which area. They operate in Western Cape and Gauteng

3.4.2 The Americans, Gentlemen (Majimbos/Magnets)

This gang operates hand-in-hand with the “26” and “27” correctional gangs and specializes in white collar crime. They are involved in drug smuggling, robbery, theft and housebreaking. They commit crimes for the financial gain of the structures of the gang. The training centre of the Americans is in Oudtshoorn.

The Americans identify certain correctional centres as their territory for smuggling items into the correctional centre. They have links with officials working at those correctional centres. Some

officials are on the Americans' payroll. They have connections with SAPD, SANDF and Security Firms for weapon recruitment and information on SAPS activities.

They manipulate the justice cluster and Home Affairs (bribery and corruption of officials for warrants – disappearance of dockets, manipulated and protected legal representatives, and identity fraud). One of the goals of the Americans is abalone smuggling and a take-over of the drug trade, prostitution, money laundering, mafia/crime syndicate control of the whole of the Western Cape, especially Pollsmoor, Goodwood, Helderstroom, Voorberg, Drakenstein, Oudtshoorn, some places in Gauteng, KwaZulu/Natal and the Eastern Cape.

When Americans are incarcerated, they normally choose to join the 26 gang. They often have connections with foreign crime syndicates (e.g. Japanese, Nigerians etc.). The American gang's hierarchy is the same as the 26 gang, and the membership numbers of the American gang is in the majority (almost 80% of the gang membership in Western Cape). Their rival gang is Hard livings.

3.4.3 Cisko, Yakkies

This gang operates like the “26” and “27”. Their modus operandi is the same as the Americans, but in different areas of the Western Cape with different leaders, especially Elsie's River, Manenberg and Worcester.

3.5 THE FIRM (FOR IT REQUIRES MONEY)

The FIRM operates much like the “28”. They are the decision-making body for 28 gangs operating in the community. They identify the boundaries of the areas in which the 28 gangs operate. The FIRM is the major gang at the Brandvlei, Helderstroom and Caledon correctional centres and they specialize in murder, drug trade, prostitution, car theft, money laundering and corruption. The manipulation of the justice cluster is also on their agenda.

They are active in the rural areas where they try to get hold of HOP houses meant for the poor. They target those who cannot pay their rent or school fees or school clothes. These houses are then used for smuggling, prostitution, or other operations, while the owners still live there.

They are active in nearly all rural areas, especially the West Coast and its farming areas. They also operate in Valhalla Park and Kalksteenfontein in Cape Town and Hawston/Hermanus.

3.5.1 Hard Livings

Hard Livings operate much like the “28”. They are in the drug trade, prostitution, car theft, money laundering, corruption and manipulation of the justice cluster.

They support family members while gang members are incarcerated. In exchange, the family joins them and participates in crimes that suit the gang. They are linked with 28 gangs in other provinces and international gangs (e.g. Nigerians, Chinese, etc.) with regard to the drugs and other trades. They are operating *mainly in Manenberg (Cape Town)*.

3.5.2 Other influences

Nigerians: they are used by the 26 gang as couriers. They trade in drugs, prostitution, money laundering, scams and white collar crime. They have links with international crime syndicates and they are trading nationally in South Africa.

Moroccans are often used by the 26 gang as couriers. They trade in drugs, prostitution, money laundering, scams, white collar crime and focus on weapon trading. The Moroccans trade nationally in South Africa.

The Chinese mafia is also used by the 26 gang as couriers. They trade in abalone, drugs (TIK, Ecstasy, Mandrax) and are involved in sex trafficking. The gangs aim to manipulate the three biggest ports (Durban, Cape Town, Port Elizabeth).

In the late 1990's, the Americans adopted the 26 rituals, structures and practices while the Firm adopted the 28 rituals, structures and practices. In the early 2000's, the Firm began calling itself the 28s. Its leaders have designated themselves generals and appointed captains, sergeants and judges.

3.6 HIERARCHICAL STRUCTURE OF GANGS

All number gangs organize themselves into hierarchical structures. In most cases these structures consist of four levels of operation, namely:

3.6.1 Top management level

The top management consists of the leaders of the gang and is a decision-making body in terms of promotion/demotion of members, gang wars, allocation of amenities and rations supplied by gang members, etc. “Rations” refer to food, money, drugs, sex, etc. The top structure of the 27 gang is referred to as the *Twaalf punte*. In the 26 gang, the top management is known as the *Springs*, while in the 28 gang they are known as the *Wolke*. The “fighting general” and the “full general” are promoted from the middle management.

3.6.2 Middle Management level

The middle management is responsible for the execution of decisions made by top management, like arrangements for assaults, smuggling and recruiting of new members, etc. In both the 26, 27 and 28 gang, this level is known as the *Kamp*. It consists of the ranks “inspector”, “captain 1” and “captain 2” are the ranks in this level. Captain 1 or captain 2 (the senior available) acts as the judge or magistrate.

3.6.3 Operational level

This level can be regarded as the permanent work force of the gang. They are responsible for selling dagga or other drugs, smuggling. They are also foot soldiers involved with general war face (gang fights). This level is known as *Deep level* in the 26, 27 and 28 gangs. Soldiers are promoted to “sergeant 1” and “sergeant 2” in this level.

3.6.3.1 Latest recruits

Offenders in this level can be regarded as the new recruits who do not yet understand all the secrets of the gang and who have not yet proven themselves by executing tasks successfully to be allowed into the operational level of the gang. In this regard, tasks refer mostly to one-on-one

stabblings and smuggling. In the gang this level is known as *Stone Yard* (*soldiers* or *marshalon*). The 27 and 28 recruits are known as *soldiers*. *Malaitas* who have the potential to be of benefit to the gang will become a “soldier”. A sick or disabled offender may not be recruited or used for fights. (Van Onselen. 1984)

3.6.3.2 *Malaita*

The *malaita* are the *franse* that have been identified for membership but who are still waiting to be admitted to *Stone Yard*. They are said to be waiting in front of the gates (“lê voor die hekke”) to get information on the movements of officials.

3.6.3.3 *Franse*

A *franse* is an offender who is not a number. A *franse* is regarded as anybody who is admitted to a correctional centre and who has not been previously taken up in the ranks of a gang or is not at all interested in progressing through the ranks of the gang. The moment a *franse* is contracted by any gang for operational purposes, the person becomes a *malaita*.

In some instances offenders with influence or prominence who do not join gangs are regarded as a *franse van ouens* (a *franse* linked to a *kamp*).

- *Franse van ouens*: The *franse van ouens* are not numbers (although close to the number), but they do odd jobs (runners, carrier, supplier) for a specific number (26, 27 and 28). They also support gangs financially and receive protection from gangs in return. They will not generally be victims of assaults.
- *Vuil frans*: A “*vuil frans*” is a *frans* who has given information to authorities.
- *Sterk frans* or *Ysterfrans*: A “*sterk franse*” is a *franse* who does not want to be told what to do and who may be in a position of power, like a cleaner, office boy, etc.
- *Goue frans*: *Goue franse* are those that have limited information about a gang, but who has not yet been accepted as a *soldaat/soldier*. Part of their task is to school the new recruits on the background or history of the gang and its laws (*Intshayelo*) (Kinnes 2000:5)

3.7 IDENTIFICATION METHODS AND GREETING SIGNS

Gang members identify each other by greeting signs that afford gang members of one gang the opportunity to approach gang members of a different gang when they arrive at a correctional centre. The greeting signs are also used when fellow gang members greet their comrades during the daily activities in the correctional centre. The following greeting signs are used by the different gangs:



Figure 3-1: Greeting of the 26 gang



Figure 3-2: Greeting sign of the 27 gang



Figure 3-3: Greeting sign of the 28 gang (Members of the “Silver Line” [the boy wives of the golden line] will greet with the left hand while the “Golden Line” will greet with the right hand)



Figure 3-3: Greeting sign of the Big 5 gang



Figure 3-4: Greeting sign of the Air Force 3 gang

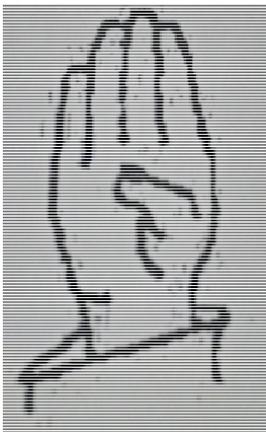


Figure 3-5: Greeting sign of the Air Force 4 gang

Gang members who arrive at a correctional centre can make their affiliation known to the gangs by means of signs in their body language. In this regard the manner in which a member of a 26 gang sits while waiting at the admissions office can be used as an indicator. It is important to note that there is a change in position where they sit on benches. The hands still indicate the

gang's sign. The 28 gang will have the left knee in the air. The 26 and 27 their right knee in the air.

3.7.1 Verbal greetings

Gang leaders who arrive at a correctional centre will be approached by the *Sgijimis*- (offenders who does anything for personal gain) of the 27s to inquire from them whether they are affiliated to a gang. The answer must be given in a specific manner, and depending on the answer of the newcomer, the affiliation of the individual will be known. The newcomer is asked a question in Afrikaans: "Wie is jy?" (Who are you?)

The different gangs will answer as follows:

26 gang: "*Ek is 'n man van Mpumalanga en ek pikelela (werk) met sonop*" ("I am a man of Mpumalanga and I pikelela (work) with sunrise").

28 gang: "*Ek is 'n man van Shonalanga en ek pikelela (werk) met son-af*" ("I am a man of Shonalanga and I pikelela (work) after sunset").

27 gang: "*Ek is 'n man van Ngeleketyana/Hlabilanga en ek pikelela (werk) met die tyd van sonop*" ("I am a man from Ngeleketyana/Hlabilanga and I pikelela (work) after sunrise").

Air Force 3 and 4: "*Ek is 'n man van Afrika en ek kyk die fence/die wind*" ("I am a man of Africa and I look at the fence/the wind").

Big 5 gang: "Ek staan op 'n vyf" or "Steppe staan 5" ("I stand on a five" or "Steps stand 5")

3.7.2 Tattoos

The gang members of the different gangs can also be identified by their tattoos, which indicate their affiliation to a specific gang. It is not always a prerequisite to carry the tattoo of the gang to show your membership. The following can be indicators in this regard:

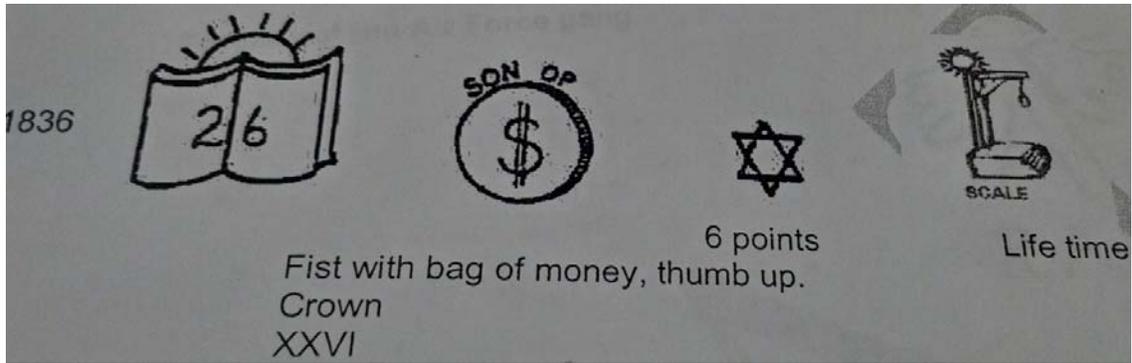


Figure 3-6: Tattoos of the 26 gang

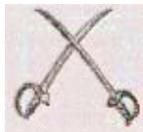


Figure 3-7: Tattoos of the 27 gang

Crossed sable.



Figure 3-8: Tattoos of the 28 gang



Figure 3-9: *Picture taken from “Corrections@work. Feb-April 2015”*

The tattoo on the right-hand side will be used if the person is a member of the *Gold Line*. The tattoo on the left-hand side indicates a member of the *Silver Line*. It is open thighs with a setting sun.



Figure 3-10: *Prison ink: tattooed members of South Africa's gangs / Culture Sep 5, 2008*
Photograph: Araminta de Clermont/Freelancer.

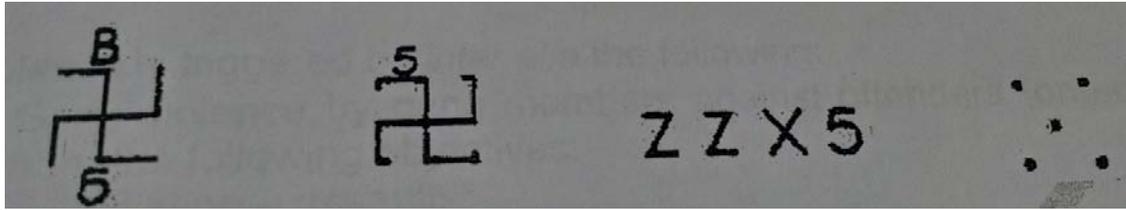


Figure 3-11: Tattoos of the Big 5 gang



Figure 3-12: Tattoos of the Airforce gangs

3.7.3 Gang language

All the gangs in correctional centres except the Big 5 gang use a gang language called *Sterianos*, which is spoken by all gang leaders. Officials of the Department of Correctional Services are mostly not knowledgeable regarding this language, as even the officials belonging to a gang are not properly trained in this language. Apart from the “official gang language – sabela” there are words and phrases that are commonly used among gangsters. Below follows a list of common phrases and words in correctional centres.

The observations above makes it clear that inmates find it difficult not to become involved in gangs, as gangs can ensure their safety. The second section of this chapter employed questionnaires to investigate the reasons for gang membership further.

3.8 SUMMARY

Gangsterism forms part of a culture. Sometimes gangs form as a continuation of an outside culture, and sometimes offenders become part of this culture for the first time at the correctional centre. Number gangs are prevalent in correctional centres throughout South Africa. These gangs also have also their tentacles in the community, street gangs and international syndicates. They have even become a problem in schools. The “gangster community” includes officials from The Department of Correctional Services, SAPS members, officials from the justice and social clusters and the Defence Force. All these links are aimed at promoting the goals of the gang’s top structures. It is not easy to manage the problem that gangs create inside the correctional centres.

A gang management strategy must be in place on the streets as well as in correctional centres. It is therefore necessary to involve all relevant government departments. The departments of Social Development and Education can be part of this gang management strategy.

During the interviews with offenders, it became clear that the current gangs are phasing out as they are too violent. The current political structure makes things easier for the younger generation offenders as there are structures such as the Human Rights Organization and the Independent Prison Visitors from the office of the Inspecting Judge. It is also clear that some of the old and hardened gangsters do not want to be part of gangs anymore. For them it is very difficult to leave the gang as they may get the “death sentence” from the “judge” for leaving the gang.

CHAPTER 4: THE THEORY ON THE REHABILITATION OF THE OFFENDER AND ITS IMPACT ON GANG ACTIVITY

4.1 INTRODUCTION

In an effort to answer the third sub-question, this chapter takes a critical look at the concept of rehabilitation and the way in which it is implemented in South African correctional centres. Rehabilitation involves every offender, also those who are involved in gang activities. It involves the process of providing offenders with a variety of services, including development and treatment programmes, while under the control of the Department of Correctional Services. These programmes are designed to reduce the probability of future criminality and to shape inmates to become productive members of society (Silverman, 2001:543). This is very difficult with gang members, as membership of a gang often provides more comfort and power to the individual than the prospects of a productive life within the confines of the law.

The Department of Correctional Services has to see that safety, security and human dignity forms part of the rehabilitation of offenders. They should implement the White Paper on Corrections (2005:76). There are no limited demands (there are no limitations when it comes to rehabilitation of offenders) and therefore the rehabilitation of offenders must be assured. This chapter discusses the rehabilitation of offenders and the involvement of the correctional official as a role player. The correctional officers work closely with the offenders and they therefore build trust and a good relationship with the officials. Offenders must be skilled and trained in different programmes to prepare them for a life outside the correctional centre. Programmes are also provided to all gang members to be skilled and to be rehabilitated. Through this they can earn money in a more lawful way when they are released.

Incarceration may have one or more of many aims, including retribution, deterrence, public disapproval, rehabilitation and reintegration – all four goals are used in South Africa. The Department of Correctional Services is transforming in that it now places the rehabilitation of offenders at the centre of all its activities (Cilliers & Smith, 2007:83). This is not an inventor programme, it is the result of a process aimed at positively changing the offender and his criminal behaviour. This combines the correction of offending behaviour, human development

and the promotion of social responsibility and values (Department of Correctional Services, 2005:71). Even gangsters benefit from the rehabilitation programmes inside the correctional centres. Gang-related bad behaviour is also addressed and they are trained to behave and control themselves. They are also trained in specific skills so that they can find proper work with a salary to provide for their families

The moment the offender is admitted to the correctional centre, the rehabilitation process starts and it continues up to the last day when the offender is placed back into the community (Cilliers & Smith, 2007:87). Care and development programmes and treatment are there to assist offenders in their rehabilitation process. These programmes include educational programmes, skills training, social work, psychological and spiritual or religious programmes. The programmes focus on the direct typical problem area and the behaviour of the offender. Gang members are also involved into these programmes and they can benefit if their attitude is so inclined.

The United Nations Standard Minimum Rules for Treatment of Correctional centres (Rule 66(1)) reads as follows:

“To these ends, all appropriate means shall be used, including religious care in the countries where there is possible, education, vocational guidance and training, social casework, employment counselling, physical development and strengthening of moral character, in accordance with the individual needs of each correctional centres, taking account of his social and criminal history, his physical and mental capacities and aptitudes, his personal temperament, the length of his sentence and his prospects after release” (Department of Correctional Services 2005:128)

The rehabilitation aspect is very important in the preparation phase of the parole placement and the offender’s participation in the rehabilitation process and this has the impact on the decision whether the offender can be placed on parole or not (Weiss, 1990:31).

Many African correctional centres are struggling to achieve rehabilitation because of the lack of resources. Underfunding and overcrowding hamper the implementation of effective schemes. Rehabilitation remains the goals of many penal policymakers in Africa.

Rehabilitation forms part of many regional instruments aimed at improving correctional centres. In 2002, the Ouagadougou Declaration on Accelerating Prison and Rehabilitation in Africa called for the promotion and reintegration of former offenders by means of an accompanying Plan of Action, to increase the effectiveness of rehabilitation of offenders. During the discussion, the human rights of offenders were also considered. These measures failed because of the overcrowding, lack of personnel and training and correctional centres that could not adhere to minimum standards.

Countries such as South Africa, Uganda and Botswana have taken steps to create rehabilitation programmes. These countries face challenges with the rehabilitation and reintegration programmes, but they also strive to adhere to the Plan of Action and to focus on educational and vocational training, psychological support, promotion beyond correctional centres, access to religious services, and integration of civil society. They aim to reintegrate the offenders with the community. Gangsters can successfully reintegrate after completing a proper rehabilitation programme (Sarkin 2008).

The White Paper on Corrections (Department of Correctional Services, 2005) describes and defines rehabilitation and correction as follows:

- Rehabilitation is the result of a process that combines the correction of offending behaviour, human development and the promotion of social responsibility and values. It is the desired outcome of a process that involves both the departmental responsibilities of government and the social responsibilities of the nation.
- Rehabilitation should be viewed not merely as a strategy to prevent crime, but rather as a holistic phenomenon incorporating and encouraging:
 - social responsibility
 - social justice
 - active participation in democratic activities;
 - empowerment with life-skills and or other skills; and
 - a contribution to making South Africa a better place to live in.

The White Paper insists that the primary goal of the Department of Correctional Services is to rehabilitate, yet it gives no policy directives concerning the maintenance and management of overcrowded prisons. It mentions that correctional officials have ceded control to gangs in many prisons, but gives no directives as to how correctional officials can win it back. It is almost as if the authors of the White Paper regard the heart and soul of a correctional official's job as "dirty work", work that is best not spoken about. *Journal*

4.2 CRIMINAL JUSTICE STUDIES (2013)

Work that is not spoken about becomes work done poorly. As the disjuncture between head office policy and the reality of prison life grows, so correctional officials gradually sidestep policy and do their work accordingly to the dictates of their own formal "rules"- "rules" that involve both violence and corruption. The result is that the White Paper's complaint about poor quality of staff could become a self-fulfilling prophecy. Moreover, the White Paper's own primary goal, rehabilitation, could be undermined: the best rehabilitation programmes in the world will be ineffectual and meaningless if the moral and physical fabric of prison life is at odds with the values and precepts of rehabilitation. Many gangsters are leaving the correctional centres and become the responsible husband, father and family member – rehabilitation under the supervision of a watchful eye is one of the greatest gifts an offender can receive.

The term "total institution" was coined by Erving Goffman. He defines it thus: first, all aspects of life are conducted in the same place and under the same single authority. Second, each phase of the member's daily activity is carried on in the immediate company of a large batch of others, all of whom are treated alike and required to do the same thing together. Third, all phases of the day's activities are tightly scheduled, with one activity leading at a prearranged time to the next, the whole sequence of activities being imposed from above by a system of explicit formal rulings and a body of officials.

Finally, the various enforced activities are brought together in a single rational plan purportedly designed to fulfil the official aims of the institution." Goffman lists five categories of total institutions: Institution of care, such as mental hospitals; institutions of quarantine, such as leprosaria; jails, POW camps and concentration camps; institutions of work such as army

barracks, ships and boarding schools; and finally, cloisters such as abbeys, convents and monasteries.

Relationship between members and gang members is not a good one. Under the apartheid regime, they feared the warders. They knew that warders were not watched by human rights groups, so when there was a stabbing of an offender or an officer the warders would beat the gang members almost to death.

Under the new system, however the warders have become targets. The number gangs are well aware that the consequences of their actions will not result in a beating or the death penalty, and therefore new initiates are encouraged to stab a warder or even to attempt to take his eye out of its socket.

One of the most compelling messages that the number gang members like to send to the warders, is by holding up a mirror towards the warden. This deviates from the traditional practise of holding up an image of an inmate. The message the numbers are said to be sending is:

“we are what you are. You are an army, we are an army. Where you have a head of the prison, we will have a judge. Where you have a head of the section, we will have a general. Whatever you do to us we will do to you in turn”
(Cohen, 2013).

4.3 EVIDENCE FROM THE LITERATURE

Literature on the rehabilitation of criminals focus on the following matters

4.3.1 The strategies for rehabilitation

The literature focuses mainly on three strategies for rehabilitation. The first category, inmate-focused strategies, makes use of a classification of offenders. There is a profile of each offender that contains all the personal data of that offender. Conflict resolution strategies are formulated for each offender.

The second category, namely staff-focused strategies, aims to develop all correctional officials in all possible fields as far as possible. The point of departure is that proper training must be

provided to all officials. The third category, management-focused strategies, entails that all correctional managers must have access to treatment programmes and they must adhere to these programmes. Overcrowding must also be attended to and there should be a reduction in totals. In addition, there must be changes in situational context.

4.3.1.1 *Culture, violence and disorder*

The management culture, staff culture and inmate culture all combine in one institution. All cultures must be respected to ensure proper management. Management culture appears to be important, striking a balance between maintaining order and allowing inmate autonomy. The empirical evidence is sketchy. Most of the information had been gathered by means of observation or experimentation. This data were recovered and analysed by scientists as part of the scientific method.

Inmate and the staff cultures can be changed and this should have a positive effect, but this could not yet been proven. The link between violence and culture is indirect – a better environment is created for other inventions. The promising findings from Liebling (2004), the US Commission on Safety and Abuse, the ACA (Affordable care act) and the link between MC (Master chart), SC (Smile Columbia) and IC (Integrated circuit) is also still unproven.

4.3.1.2 *Prison overcrowding*

Although there are many uncertainties, six out of eight empirical studies identify a link between overcrowding and a range of adverse effects such as heightened stress levels, self-injury, perception of aggressive behaviour in other inmates, higher levels of inter-inmate violence and increased drug use, increased self-injury, heightened stress levels and perceptions of aggressive behaviour in other prisoners, increased drug use, and higher levels in inter-prisoner violence (Byrne & Hummer, 2008:47).

Overcrowding makes offenders more violent and irritated with each other because of the small space. Gangsters smuggle drugs more because overcrowding causes a staff shortage (cells are not searched properly). Offenders not happy with the cell mates can easily become stressed and try to injure themselves, especially if gangs exist in the cells and the offender doesn't want to

become a gang member. Offenders not involved in gangs can also become scared of other offenders and aggressive behaviour can start violence.

4.3.1.3 *The impact of programming (availability and quality)*

Institutional behaviour is improved by increased programme participation. Programmes for example restorative justice, new beginnings, crossroad, decision making, anger management, sexual offence, changing lanes, economic crime, substance abuse and behaviour modification. (White Paper of Correctional Services, (March 2012) are effective in reducing offending and these programmes have been shown to improve behaviour in prison through a growing body of evidence.

A few studies show that inmate involvement in some aspect of a personal change process improves their institutional behaviour (behaviour programmes focussing on drug treatment, group discussion on self-control, lifestyle change therapeutic communities). Education, vocational, mental health, substance abuse and other problem-focussed programmes are also effective.

In-prison programming must be expanded and improved to reduce prison violence and disorder and staff skills and capacities must be improved.

4.3.1.4 *Impact of classification*

All prisoners must be classified, and the following questions are important during classification:

- How should one identify potential high risk offenders?
- How should one respond pro-actively (and programmatically) to such individuals?

The following are considered high risk factors that the correctional centre's managers can not necessarily respond to:

- Age (young)
- Gender (male/female)
- History of violence

- History of mental illness
- Gang membership
- Low programme participation
- Recent disciplinary action

More sophisticated internal classification systems are supported and it is focused on individual characteristics and risks

4.3.2 Prison management practices and institutional behaviour

There are three models of prison management:

- Control (military style)
- Responsibility (minimal control)
- Consensual (balancing act between the two)

The control model is least effective in reducing the violence. Is it a reality that when management and staff are in conflict with gangs, violence increases.

4.3.2.1 The situational context of violence and disorder

Placing offenders in a maximum security prison did not reduce violence and disorder. The practice produced mixed and contradictory results regarding staff safety.

The following situational factors and the link between violence and disorder are unknown:

- Inmate housing (single cells)
- Supervision (direct CCTV)
- Offender's routines and movements (offender monitoring and location strategies)
- The support for direct supervision facilities is reported as

4.3.2.2 *Inmate profiles, gang membership and violence*

Some of the variables that must be kept in mind include age, race, previous imprisonment, gang membership, mental health history, prior record and instant offence, etc.

According to Byrne (2008:58), we “know there is a link but the relation between inmate characteristics generally, and gang affiliation is particular, and prison violence and disorder, is unknown”. Younger inmates with less education and previous prison term and determinate sentence had a higher probability of violent conduct, but lifers and death row inmates (as in the USA) had lower risks of violent conduct.

4.3.2.3 *Policy implications*

The policy implications are based on the available evidence: Increase the quality and quantity of inmate programming and you will reduce the level of violence. New generation classification systems (internal) should be linked to inmate prison programming. Make sure the classification system is focused on offender change and not offender control.

4.4 THE FRAMEWORK FOR OFFENDER REHABILITATION

Rehabilitation is the aim and it ensures that offenders stop their offending behaviour. It is not easy for any person finding himself locked up in a correctional centre where overcrowding and violence occurs. Offenders must have a sense of dignity to build his/her self-esteem and together with that; education must be provided by the Department of Correctional Services to prepare them for the outside life. Rehabilitation comes from within the offender him/herself, nobody can force a person to be rehabilitated.

The concept of rehabilitation was first employed in America in the 1800s. Literacy and vocational training was provided and even psychotherapy was used in the centres (Murphy, 1997:48). Criminals were reformed through rehabilitation programmes in the new generation correctional centres, where offenders were supposed to participate in all activities (O'Brien, 1982:48).

With the punishment that happened in the past, it is not sure, if that punishment reduced reoffending or if the situation became worse. Beccaria (1963:30) states that,

“the severity of punishment itself emboldens men to commit the very wrong it is supposed to prevent. They are driven to commit additional crimes to avoid the punishment ... the certainty of punishment, even if it be moderate, will always make a stronger impression than the fear of another which is more terrible but combined with the hope of impunity”.

Sheriff John Howard of Bedford County in England made the following recommendations in the eighteenth century, and this became the standard (Zupan, 1994:14):

- Offenders must be classified according to their sex, age and the crime
- Correctional officials must be paid to avoid the escape of offenders
- Medical officers and chaplains must be available
- No intoxicants or liquor must be sold to offenders
- Adequate clothing and food must be provided to offenders to keep them in good condition.

Reoffending can be reduced if offenders go through programmes that eliminate the problems that led to offending.

When it comes to rehabilitation and gangs, the identification of gang members should be improved. There is no evidence that gang members' identification (and possible segregation) reduces prison violence. Evidence supports improved internal classification systems focussing on change within offenders. There should also be an improvement of direct supervision by an officer and not CCTV. Programmes for behaviour modification should be available to all offenders and the disciplinary system should be revised.

A management approach in line with the consensual model can benefit from an effective disciplinary system. The control management model has not been known to improve violence. In fact, it only makes it worse.

When treatment programmes based on respect for rights and assurance of safety are offered, the reasons for the existence of gangs are diluted. Membership becomes less and less attractive.

4.5 THE RELATIONSHIP BETWEEN INCARCERATION AND REHABILITATION

Imprisonment is the punishment for the crime committed. This must not be seen as the end of the process. The offender must see this as a challenge and must make sure they use the punishment to become a better person by the end of sentence. During the imprisonment, they receive skills development and receive spiritual and psychological support. They are not forced to attend such sessions, the sessions are voluntary. After attending all these sessions, the offender can make a positive contribution to the community.

Rehabilitation is one of the reasons to send an offender to correctional centre. Imprisonment gives an opportunity to rehabilitate (Lin, 2000:30). Both offenders and correctional officials must put in some effort into rehabilitation to make sure that when the offender is released, he or she can manage his or her life well and avoid reoffending (Gaes *et al.*, 2004:18).

Rehabilitation is an important part of humane correctional treatment; officials must see that offenders are positive about taking part in all the rehabilitation programmes. To this end, every correctional system should fulfil four functions: the custodial function, the restorative function, the controlling function and the maintenance function.

4.5.1 The custodial function

Limits are set on a person's freedom when he or she is sent to a correctional centre. The state has power over individuals and can therefore send an offender to a correctional centre. The state must make sure that an offender is kept safe and cannot escape.

Imprisonment does not mean the offender is kept away of society. It involves methods to ensure that the offender will be rehabilitated and the reintegration back into society will be successful. Rehabilitation programmes can be implemented while the offenders are in custody (Faugeron, 1996:126).

4.5.2 Restorative function

The rehabilitation of an offender is the main objective of imprisonment. Offenders must be prepared for their return to society, "for if one incarcerates, at some time or the other, one will

have to de-incarcerate” (Faugeron, 1996:126). The offender population comprises individuals with low educational levels, economic and personal problems, problems such as addiction, and these problems must be addressed through rehabilitation programmes.

4.5.3 The controlling function

People must be regulated when locked up together. Correctional officers must have a regulatory relationship with offenders. They must make sure that there is a good relationship among themselves, because they all strive for the same objective – rehabilitation of offenders.

With an effective control system, offenders’ rehabilitation programmes can be implemented successfully. There should first be a process of classification to measure the offender’s needs. After classification, the necessary programmes for their rehabilitation can be accessed according to their needs (Faugeron, 1996:126).

4.5.4 The maintenance function

Offenders must be supplied with accommodation, food, washing facilities and other essential resources (Faugeron, 1996:126). Welfare services and leisure activities must also be provided. With these services, the offender population can be managed and there can be control within the correctional services. Any disruptions or delays in the day-to-day functioning of the correctional centres can cause havoc, because this is an essential service.

Warden Gershom Powers of New York spells out basic themes of reformation to new convicts in his orientation speech (Kahn, 2005:138):

“From bad example, idleness, or the indulgence of evil passion, you have been led to the commission of crime, by which you have violated the laws of your country, forfeited your liberty, and offended your God. The consequence is that instead of now enjoying the inestimable privileges of a free citizen... you appear in culprit robes, doomed to the gloomy solitude of a prison... weep not for yourself only but remember the sighs of a father, tears of a mother, the anguish of a wife and children, suffering and disgraced by your crimes. Cherish no malevolent feelings against society or the government for arresting

you in your career of criminality, but rather be thankful for the mildness of our laws; that instead of forfeiting your life on an ignominious gallows as would have been the case under most other governments, you are only restrained for a time, for the safety of society, and your own good; that the most favourable means are afforded for repentance and reformation by forming temperate and industrious habits, learning a useful trade, yielding obedience to laws, subduing evil passions, and by receiving moral and religious instruction. If you will faithfully improve the opportunities with which you will be thus favoured, your case is far from being hopeless, your suffering during confinement will be greatly mitigated; you will return to your friends and to society with correct views and good resolutions, and then friends and society will receive you again with open arms and, like the compassionate father to his prodigal son, will say of you, he was dead, and is alive again; was lost, and is found”.

4.6 PROGRAMMES AIMED AT THE REHABILITATION OF OFFENDERS

The objective of incarceration should always be considered when dealing with offenders. Reoffending must be prevented. Essential programmes must be provided to offenders aimed at their rehabilitation. According to Casella (2003), a comprehensive programme must meet the following goals:

- It should have a complete, individualized assessment and treatment path
- An offender should accept responsibility for his or her offences and be aware of his or her patterns
- An offender should learn to intervene, to look into their offence pattern and to stop the behaviour
- Re-education and re-socialization must replace antisocial thoughts
- An offender need a prolonged period to safely test the newly acquired insights and control mechanisms
- Offenders need a post-treatment support group and continued post-release access to therapeutic treatment.

The rehabilitation programmes offered to offenders include education, counselling/case work, recreation and behavioural, psychological, social and vocational programmes.

4.6.1 Educational programmes

Education will always be a major part of rehabilitation (Brewster, 2002:314-332). The provision of educational programmes that meet all the educational challenges, benefits society. All offenders who participate in educational programmes have lower recidivism and adjust better in the community. Programmes that include communication skills, general education, basic academic skills, general equivalency diploma preparation, vocational training, post-secondary education and other educational programmes are all programmes required by the offender population (Gowdy *et al.*, 2003:14).

Correctional education must meet the following standards:

- Education should be accessible to all offenders.
- Basic education, creative, religious and cultural activities, literacy programmes, recreational education and activities, social education, library facilities and higher education must be available to offenders.
- There should be great support from all parties responsible for the functioning of the correctional centre.
- Disincentives for participating in approved formal educational programmes should be avoided at all costs.
- Education inside and outside the correctional centre must be encouraged.
- Communities have to be involved in education.
- The development of the offender must take place through vocational training and the conditions of the labour market must be adapted.
- To enable the offender to develop him or herself, cultural activities should also be encouraged.
- The offender's social, cultural and economic background should be considered in educational programmes,

4.6.2 Recreational programmes

Offenders do not have to be able to read and write to follow recreational programmes (Van Voorhis *et al.*, 2004:14). Everybody becomes part of the rehabilitation process. Even the physically disabled offender can participate in activities such as art and craft, music etc.

Without recreational programmes, offenders experience more physical and emotional conflict among each other, like sexual assaults or personal depression. These programmes develop the offenders' minds and in this way they realize that they can do more than they think they can do. Their mental health improves during this programme and they even learn to trust others.

4.6.3 Psychological programmes

Psychological programmes focus on the treatment of the underlying emotional or mental problems that led to the commission of an offence. There are two approaches to such programmes: psychotherapeutic approaches and group treatment.

- Psychotherapeutic approaches – the treatment of the mind within the correctional setting. Here the need for and the goals of the treatment process is determined by therapists.
- Group treatment – mutual problems are discussed by a group of offenders. These approaches consist of reality therapy, confrontation therapy, transactional analysis and cognitive skills building (Clear & Cole, 2000:323).

4.6.4 Counselling and case management

Correctional counsellors undertake group sessions where drug abuse, sexual offending and suicide prevention are tackled. Counsellors try to help offenders adjust within the correctional institution with less frustration and deterioration. With the help of the counsellors, offenders want to be rehabilitated.

4.6.5 Behavioural therapy

Behavioural therapy occurs through role modelling and other active forms of teaching. This process is not just to change the criminality of the offenders, but also targets certain problems associated with the criminal lifestyle. Verbal manipulation, rationalization, lack of social skills such as conversation, inability to control anger and frustration are some of the problems. Positive and negative reinforcements are used to encourage desirable behaviour. Positive reinforcements are attention, praise, money, food and privileges and negative reinforcements are threats, confinement, punishment and ridicule.

4.6.6 Social therapy

The aim of social therapy is to ensure that the institutional environment is supportive of attitudes and behaviour. The primary aim is to allow offenders to participate in the decision-making process. The offenders have to take control of the conditions they have to live in and the programmes are focused on changing behaviour. According to Clear and Cole (1994:358), the support of a pro-social institutional climate must meet the following requirements:

- Democratic practices rather than bureaucratic. Offenders are offered the opportunity to participate in making rules and maintaining institutional orders.
- It must focus on treatment rather than custody. Offenders are taken from their community and the attempt to change their behaviour.
- The correctional centre must not have a negative impact on the offenders' needs for educational and vocational training.
- Flexibility is valued over rigidity. Enough time must be given to the offenders to develop themselves, no time must be wasted on something that has less or no impact on their development

4.6.7 Vocational programmes

Vocational programmes have an impact on the offender after release. Offenders are offered a marketable job skill. With the money earned outside after released, they will be able to sustain their lives and crime will be reduced. They are trained to handle themselves in a work situation.

4.7 THE STEPS OF REHABILITATION

4.7.1 Reintegration

Reintegration is a model that emphasizes the maintenance of the offender's ties to family and the community as a method of reform in recognition of the fact that the offender will eventually be returning to the community (Clear & Dammer, 2003:24).

Cromwell and Carmen (1993) point out that reintegration stresses adaption to the community by requiring the offender to participate in rehabilitation programmes to develop his skills and educational abilities and to allow the offender to use those skills in a community setting.

According to Stevens (2006:291), reintegration is the process of finding an offender employment, restoring family relationships and confirming his support system (via address) and guiding an offender towards an independent, crime-free life style. The same person must be guided through re-entry into a community that values imprisonment more than conditional release. Being stigmatized as "once a criminal always a criminal" can become an obstacle for many parolees, especially in finding suitable employment.

4.7.2 Restorative justice

The formal justice system leads to frustration and dissatisfaction and calls for alternative responses to social disorder and crime. Through a system of restorative justice, the parties involved and the surrounding community have the opportunity to participate and address the conflict and its consequences. This is also based on community building and local decision-making. It promotes tolerance and inclusiveness, responsible community practices and encourages the peaceful resolution of conflict.

Restorative justice offers communities some welcome means of resolving conflict. Individuals who are not detached, but directly involved with the incident are affected. Direct and concrete participation of the community is no longer abstract. All the parties participate voluntarily and engage fully in the negotiations.

Restorative justice is about addressing the hurts and the needs of both victims and offenders in such a way that both parties and the communities of they are part, are healed (Batley, 2005:21).

Restorative justice can be defined as any process where the offender, the victim and any other individuals or community members affected by a crime actively participate in finding a solution to the problems arising from the crime. This is usually with the participation of a facilitator.

Community involvement is welcomed in many countries. Traditional practices and customary laws are used to apply restorative justice practices in many developing countries (Faget 2000:39). The capacity of the existing justice system is strengthened by these approaches. This is a challenge where the rights and interests of offenders and victims have to be mobilized with the involvement of civil society.

It is a process of resolving a crime and redressing any harm done to victims. Offenders must be held accountable for the deeds they have done and the community must be involved in the resolution. Through this process, there is relationship building, reconciliation and agreements between the offender and the victim. Many different cultures and communities can adopt this process. A relationship can be transformed between the justice system and the community.

This is a way of balancing the needs of the victim, offender and the community. Many terms can be used to describe restorative justice, for instance: “reparative justice”, “relational justice”, “community justice”, “positive justice”, “making amends”, “communitarian justice”, and “restorative justice” (Miers, 2001:88).

Restorative justice programmes refer to any programme that seeks and achieve restorative outcomes. This process can be described as follows:

“any process in which the victim and the offender, and, where appropriate, any other individuals or community member affected by a crime, participate together actively in the resolution of matters arising from the crime, generally with the help of a facilitator”.

Both the process and the outcome are very important. The participants involved are referred to as the “parties.” In other parts of the world and in Europe, this process is referred to as “mediation” (Council of Europe, 1999).

Crime victim is provided with an opportunity to:	Offenders are provided with an opportunity to:
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<ul style="list-style-type: none"> • be directly involved in resolving the situation and addressing the consequences of the offence • receive answers to the questions about the crime and the offender • express themselves about the impact of the offence • receive restitution or reparation • receive an apology • restore, when appropriate, a relationship with the offender • reach closure 	<ul style="list-style-type: none"> • take responsibility for the offence and understand the effects of the offence on the victim • express emotions (even remorse) about the offence • receive support to repair harm caused to the victim or oneself and family • make amends or restitution/reparation • apologize to victims • restore their relationship with the victim, when appropriate • reach closure
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Before victim-offender mediation can take place, the following three basic requirements must be in place;

- The offender must accept responsibility for the crime and not be in denial.
- All parties – the victim and the offender, must participate willingly.
- Both the victim and the offender must feel safe to be involved in this process.

4.8 EXAMPLES OF RESTORATIVE PROGRAMMES FOR YOUTHS

There are some international examples of restorative programmes. These are discussed below.

4.8.1 Brazil: Youth justice system, Porto Alegre

Parker (2004) relates the experiment of using conferencing (meeting between offenders and Management to deal with disagreements) with use. According to the Children and Adolescent Act of 1990 - in Brazil, the youth court is allowed to suspend the legal proceedings when first-

time offenders are involved with less serious crimes. In such a case, they are sentenced to reparation and community service. The youth justice system in Porte Alegre is piloting the use of *cameras restaurativas*. This equipment can also be of good value to the South African Correctional Services, but for the security of this and the long life of the equipment, correctional officials must not be in charge of the operations of these equipment. It must be handled by an outside company. Expensive equipment has previously been bought for all the correctional centres, and it has become white elephant and was costing the taxpayer billions.

4.8.2 England: Youth offenders' panels

The "referral order" is used in England and Wales and this system has some restorative features. Youth offender panels are used for offenders between the ages of 10 and 17 with a first offence. When an offender commits a serious crime, he or she requires custody. However, in less serious cases, two trained members of the public act as a panel, one as a chairperson and one as a professional. A parent or a guardian assists the young person. A person who has a good influence on the young person is invited to the hearing, as is the victim. During this session, the young person may prepare and may put forward all his or her problems. The involvement of the victim is very low. The victim is invited to meet the young person and to express his or her feelings, and according to that, the preparation should take place, but everything still depends on the decision making of the court (Newburn *et al.*, 2001).

4.8.3 Oxfordshire Youth Offending Team (YOT)

The aim of the Oxfordshire Youth Offending Team is that each victim has the opportunity to have contact with the young offender and to form part of the YOT and the young offender's sentence. If a victim is not interested in meeting the young offender, they can choose a preparative project they want the offender to follow from a booklet. The involvement of mentors and supervisors is crucial. Young people are taken away from their friends, but the preparation is visible to the public. Newsletters are distributed and public meetings are held to make sure achievements are given back to the public (Home Office, 2003).

4.9 SOCIAL REINTEGRATION

Social reintegration can be defined as the process of social and psychological integration with the social environment of an offender. This also more specifically refers to various forms of intervention and programmes targeted at preventing offenders to become involved in further criminal behaviour and reduce the risk of reoffending.

Social reintegration refers to the services that focus on an offender's preparation for release, their effective supervision after placement on parole and the facilitation of successful reintegration back into the community (Department of Correctional Services, 2006:12).

Programmes can be developed for special groups at risk of offending or reoffending, including youth and children whose socializing is still "in progress" and individuals tending to some particular social integration challenges. Some groups may face social exclusion and may need assistance with social integration.

Social reintegration programmes are used to assist offenders who have been placed in a reform school, a correctional centre, a detention centre, a residential drug treatment centre or a mental health institution. Programmes are offered at correctional centres such as pre-release programmes, education and rehabilitation. There are also conditionally release, post-release and aftercare interventions. Social reintegration's primary objective is to provide offenders with the assistance and supervision they need to live crime-free lives and to withhold them from re-offending. The main purpose is to assist offenders desist from crime, to be accepted and successfully reintegrate into the community and to make sure offenders avoid the relapsing into crime again.

4.9.1 What is social (re) integration?

There are two main categories of social reintegration programmes. First, in preparation for the offenders' release, they are assisted with resolving issues and all risk factors associated with their criminal behaviour. They acquire the necessary skills to lead law-abiding and self-supporting lives, and to prepare them for their release and re-entry into society.

Second, community-based programmes form part of the conditional release scheme. The social reintegration of the offender must be facilitated after their release from imprisonment. The

second category depends on the community's supervision, support and assistance, and here the offenders' families are involved. Post-release interventions and community-based interventions are referred to as aftercare, transitional services, social reintegration or resettlement programmes. Some offenders' post-release interventions already start while they are still incarcerated. In some countries, these programmes are known as the offender resettlement programmes. The Association of Chief Officers of Probation of the United Kingdom of Great Britain and Northern Ireland has adopted the following definition of "resettlement programme":

"A systematic and evidence-based process by which actions are taken to work with the offender, in custody and on release, so that communities are better protected from harm and reoffending is significantly reduced. It encompasses the totality of work with correctional centres, their families and significant others in partnership with statutory and voluntary organizations."

Most incarcerated individuals are released from correctional centres at some point. The re-entry process is full of emotion and practical difficulties for the offenders. There are many challenges for the offender's family and the community. Both the need of offenders and the risk they present in terms of community safety must be considered. Public awareness and the local community's involvement ensure successful programmes for the reintegration of offenders.

4.9.2 The importance of reintegration programmes

Among certain groups of offenders, the criminal recidivism rates remain very high. There are no global statistics, but individual countries confirm high rates of reoffending, in some countries 70 per cent and more. In an effort to stop the cycle of failed social reintegration, the criminal justice system must design and deliver an effective social reintegration intervention to prevent recidivism. It does not always require the incarceration of offenders. Sometimes such a programme can be delivered more effectively in the community than in an institution. Offenders can learn more easily how to behave in a socially acceptable manner in a community compared to the isolated difficult environment of the cell of a correctional centre. Offenders must be imprisoned to protect the society, but must be prepared to return to the community and they should not only be willing, but also able to lead law-abiding lives.

A lack of investment in social integration and reintegration programmes will not make this successful and therefore societies must become involved. A comprehensive crime prevention strategy cannot exist without integration and reintegration programmes. They form an essential part. Investment in correctional centres without a complementary investment in rehabilitation and reintegration programmes, do not produce a significant reduction in recidivism. It may even compound the problem. While offenders are under strict control, a period of incarceration can be used to stabilize and rehabilitate them, but it is not always successful without supported inmate reintegration programmes. The programmes can be delivered at a lower cost than that of detention and cost-effective results can be produced. Reducing the number of offenders who reoffend means fewer victims, greater community safety and less pressure on law enforcement agencies. With a successful reintegration of offenders, fewer offenders will appear before criminal courts, go back to correctional centres to contributing to correctional centre overcrowding and increasing the costs of the criminal justice system.

There are substantial social costs to every crime. There are costs to law enforcement and to investigating and prosecuting crimes. There are costs to imprisonment, and costs to the community and the victims. The social and economic costs of failed reintegration are a major concern for policymakers around the world (Borzycki & Makkai, 2007).

“If an ex-prisoner does not successfully reintegrate there are direct and indirect costs to the community. If prisoners reoffend after release, community safety is compromised through increased crime. There is costs associated with policing and adjudicating these new offenders plus the costs of administering new sanctions. There are less easily quantifiable or indirect costs to society, such as these borne by the victims of these crimes, those associated with lost economic and community capacity, or through ex-prisoners relying on social services rather than contributing to society.” (Menon, 2014)

Correctional centre overcrowding is a major problem in many countries (United Nations, 2005). Overcrowding presents a complex challenge, imprisonment populations are increasing and one of the main reasons for that increase is the large number of offenders who breach the conditions of their probation orders or conditional releases by reoffending. The overcrowding of correctional centres is caused in part by the large number of repeat offenders who populate the correctional centres and for whom imprisonment has had little or no effect in terms of desisting

from crime. There must be an effective rehabilitation programme for prisoners and there must be assistance for their social reintegration upon release (Losel, 2007). The overcrowding of correctional centres affects their ability to offer meaningful rehabilitation programmes and limits prisoners' access to existing programmes.

Some offenders repeatedly go through the correctional centre system, often for relatively minor crimes, serving successive short terms of imprisonment. Many of these crimes are less serious, small property crimes. However, the impact of these repeat offenders on communities and public safety and the public confidence in the justice system, is substantial. These offenders' behaviour can be linked to substance abuse and addictions, mental disorders, lack of job skills and many other issues. They only serve short sentences, so their access to programmes and treatment while in detention is quite limited. They therefore remain at high risk of reoffending. Only a few of these offenders participate meaningfully in programmes while in correctional centre. Only a few receive support or supervision after their release. They constitute a real public safety concern and overpopulate correctional centres with scant opportunities to integrate into mainstream society. Repeat offenders must be provided with priority access to rehabilitation and reintegration programmes and officials must make sure to submit them to effective community supervision and offender management upon their release (Dawson & Cuppleditch, 2007).

Policymakers in low and middle-income countries are sometimes hesitant to propose offering offenders assistance and services that are not even readily available to ordinary citizens. This is a difficult and complicated decision. Reintegration assistance is important, not only for the offenders, but also for the safety of the community. It is to the benefit to potential future victims and ultimately to the socioeconomic development of countries.

4.9.3 Desistance from crime and the prevention of recidivism

Griffiths, Dandurand and Murdoch (2007) posit that facilitating offender reintegration is complex and the specific intervention is difficult to measure. Reduced criminal recidivism remains the ultimate indicator of a successful social reintegration programme. "Recidivism" (reoffending) refers to whether or not a person who is the object of a criminal justice intervention (punishment) reoffends later. At the level of the individual, recidivism is prevented when an offender desists from crime.

The goal of a reintegration programme is to encourage the offender to desist from crime and to stop reoffending. The process where offenders terminate their offending activities and maintain crime-free lives is called “desistance.” This is usually achieved over a period. A few factors are associated with desistance from crime. Examples of such factors are the acquisition of new skills, full-time employment, and a significant life partnership such as starting a family (especially women). Key factors countable for desistance are change in families and employment circumstances (Farrall, 2002). According to a study of probationers in the United Kingdom, it seems that desistance becomes less likely as the total number of “problem” social circumstances facing the probationer increases. It is often very difficult to achieve desistance.

The focus is on supporting offenders to see themselves in a new and more positive light, with hope for the future. The successful reintegration of an offender rests on a combination of motivation and human and social capital. “Human capital” refers in part to the capacity of the individual to make change and achieve goals. “Social capital” includes factors such as employment and supportive family or other relationships (Coleman, 1988).

4.9.4 Addressing risk factors

Effective interventions are based on an understanding of the factors that put offenders at risk and that make it difficult for them to reintegrate into society successfully. There are dynamic factors, meaning offenders are able to change (Harper & Chitty, 2005). All risk factors can be addressed by programmes within or outside the criminal justice system.

These programmes are development based on the current understanding of the dynamic risk factors associated with recidivism, the challenges and the needs that offenders encounter upon their release from a correctional centre. The programmes vary according to the risk factors and the type of social integration challenges they are designed to address. Programmes also focus on challenges confronting offenders, such as drug use, unemployment or drug dependence. Reintegration programmes have been designed to deal with specific categories of offenders, such as drug-dependant offenders, repeat offenders, young offenders, dangerous sexual offenders or mentally ill offenders (Dandurand, 2008).

A range of social, economic and personal challenges that tend to become obstacles to their social integration confront offenders. Those challenges are a result of the offender’s social

environment, peer group, substance abuse, family, skill levels and low education. The challenges include physical and mental disabilities and health issues, including problems related to substance abuse and drug addiction. Offenders with problems such as skill deficits struggle to complete and succeed in the community, they have poor interpersonal skills, a low level of formal education, illiteracy or innumeracy, poor cognitive or emotional functioning, and a lack of planning and financial management (Dandurand, 2008).

There are a number of early preventive interventions that can reduce risk factors. This includes pre-school education, family literacy, parenting information and support, training and reasoning and social skills, organizational change in schools and reading schemes. (Griffiths *et al.*, 2007).

According to Travis, Solomon and Waul (2001), positive reintegration outcomes are more likely to be generated when factors predisposing offenders to criminal behaviour are confronted and their physical and social needs are addressed in a continuous and holistic manner, both during and after imprisonment.

It is important to emphasize comprehensive interventions based on a continuity of care to provide consistent assistance to offenders within and beyond correctional centres. Before an offender is released, the re-entry preparation should be in place. A smooth transition should take place between the correctional centre and the community through treatment and education programmes that continue until a successful reintegration is completed (Fox, 2002).

According to Borzycki (2005) the above approach is often referred to as “through care”, a system-wide mode of intervention.

4.9.5 Reintegration programmes and the criminal justice system

Social reintegration programmes also encompass interventions made following an arrest to divert offenders away from the criminal justice system to an alternative measure, including a restorative justice process or a suitable treatment programme. Reintegration interventions can also take place within the context of a community-based sanction, for example probation or community service, to help offenders integrate into the community. This can possibly take place under some supervision and repair the relationships that were affected by their criminal behaviour. Compared with imprisonment, such community-based sanctions are often seen as a

much more effective way of supporting the social integration of offenders because they avoid subjecting offenders to the marginalising and harmful effects of imprisonment. The aim of community sanctions is the integration of offenders into the community to reduce the risk of future harm and reoffending. Table 3.1 below shows social reintegration the interventions that can take place at various stages of the criminal justice process and even outside of that process when offenders are diverted to alternative services and programmes.

Table 4-1: Social (re)integration programmes and the criminal justice process.

Diversion (e.g. referral to a treatment facility)	Community-based sanctions (e.g. probation, community service and restorative justice) Correctional centre/detention centre (educational, vocational and rehabilitation programmes)	Pre-released and re-entry programmes	Early or conditional release/parole Aftercare	Post parole
Instead of the criminal justice process	As part of a criminal justice sanction	Preparing for and supporting social re-entry	After release from an institution with or without supervision	After parole

A wide array of service are covered by reintegrated programmes and initiatives sponsored by the criminal justice system, often in collaboration with community agencies and NGOs. The dynamic risk factors associated with recidivism is targeted by successful programmes. Specific challenges facing offenders are targeted by several programmes, such as substance abuse or unemployment, or a specific group of offenders, such as sex offenders or high-risk young offenders. Offenders with special needs, special circumstances or even special cultural backgrounds have to be accommodated by specialized programmes (Willis & Moore, 2008).

In some jurisdictions, measures are included to bring some finality to a successful social reintegration process by “erasing” or setting aside the record of the offenders’ criminal conviction. In Canada, for example, sealing the criminal record of an offender who has desisted from crime and has completed a crime-free period in the community is a significant step in the social reintegration and an official acknowledgement of his or her success (Ruddell & Winfree, 2006).

4.9.5.1 *International standards*

The basic objectives of criminal justice systems are among other things the rehabilitation of offenders and their successful reintegration into the community. This is acknowledged in both international human rights law and the United Nations standards and norms (United Nations Office on Drugs and Crime, 2006).

Many of the objectives are directly relevant to the rehabilitation and social reintegration of offenders. They include standards relating to intervention in correctional centres, including education, vocational training and other programmes, and the need to ensure that offenders maintain contact with the outside world.

The International Covenant on Civil and Political Rights states that penitentiary system shall comprise treatment of prisoners, with the essential aim being their reformation and social rehabilitation (General Assembly Resolution 2200 A annex / Article 10, paragraph 3). The standard minimum rules for the Treatment of Prisoners provides as follows:

“58. The purpose and justification of a sentence of incorrectional centremment or a similar measure deprivative of liberty is ultimately to protect society against crime. This end can only be achieved if the period of incorrectional centremment is used to ensure, so fast as possible, that upon his return to society to offender is not only willing but able to lead a law-abiding and self-supporting life.”

The Rules also elaborate on the purpose of that treatment:

“65. The treatment of person sentenced to imprisonment or a similar measure shall have as its purpose, so far as the length of the sentence permits, to

establish in them the will to lead law-abiding and self-supporting lives after their release and to fit them to do so. The treatment shall be such as will encourage their self-respect and develop their sense of responsibility.”

4.10 ROLE PLAYERS IN THE REHABILITATION PROCESS

For a successful correctional system, various role players are involved in the process. This includes the offenders, correctional officials, and the community outside the correctional centre. With a change of attitude, the offender becomes a better person; this is the result of rehabilitation. Correctional officials must have a clear understanding of offenders’ needs to deal with them in a proper manner. The White Paper on Corrections (Department of Correctional Services, 2005b:179) states as follows:

“The forging of closer link and cooperation between the Department, the community and other state departments is crucial in the fight against crime, preparation of relationship and the rehabilitation of offenders.”

4.10.1 Offenders

If an offender is willing to participate and change his or her attitude and behaviour, rehabilitation is possible. Rehabilitation addresses the person’s specific history and as a result, full commitment and voluntary participation is required. Offenders are responsible for their own lives and it all depends on them if they want to change. They have to make their own decisions to walk away from their old lifestyles and adopt new ones, better ones, with supportive systems.

With all the rights offenders have, it still depends on them if they want to change and empower themselves. Offenders have to make use of these opportunities that are granted while inside the correctional centre. For some of them this would be the only opportunity.

According to Deutschmen (2007:15), there are three keys to changing the offender’s attitude: relate, repeat and reframe.

- Relate

Offenders can form an emotional relationship with a person or a community. When they become hopeless, they need someone to restore their hope and let them believe in themselves.

- Repeat

New habits and skills can be mastered, learned and practiced within new relationships. Repetition must take place a few times before new patterns of behaviour become permanent. With a good mentor, it is easy to reach your goal.

- Reframe

With new relationships, offenders will think differently about their situations. They will have a new way of looking at the world (Deutschman, 2007:15).

According to Bartollas (1985:256), there are three groups of ex-offenders. The three reasons why offenders who want to succeed fail in the end include failure of will, lack of satisfaction from the straight life and the inability to make it in the free world.

- Failure of will

To change a criminal's behaviour can be compared to changing poor performance at school. Only a small percentage of the offenders who did change stay like that. Some offenders do not have the will to stay changed and it is easy to go back to bad habits. It is difficult for offenders to find a job outside and to be accepted by the community. Offenders must be dedicated to undergo rehabilitation to make it a real success.

- Lack of satisfaction with the straight life

Offenders do not always accept the "straight life" that is free from crime. Sometimes cannot accept the real life, for example stealing was the way to earn money and now all of a sudden he or she has to work to earn a living. Before rehabilitation can be successful, the offender has to realize that crime does not pay.

- The inability to make it in the free world

Some offenders fail in society and this leads them back to criminal activities. Many outside companies do not accept ex-offenders. This forces offenders back to crime to make a living.

- The correctional staff

Hemmens and Stohr (2000:327) say that:

“There is reason to believe that the correctional officer role is much more demanding, broad and rich than is generally believed. Correctional staff is engaged in guiding, mentoring, facilitating, developing, and watching prisoners. If a prisoner needs assistance with a job, getting along with others, programming, interacting with staff, or obtaining privileges, then correctional officers are their more likely resource, given their proximity and frequency contact”.

There must be a good relationship between the correctional officials, social workers, psychologists, nurses, pharmacologists, health officials, theologians, the entire workforce of the correctional system and the offenders, according to The White Paper on Corrections (Department of Correctional Services 2005b:114).

Working in the correctional system as a correctional official or any other participant is not an easy task and needs physical and emotional demands (Bartollas, 2002:258). In only one day, officials can be the supervisor, custodian, disciplinarian, peacekeeper, administrator, observer, manager, facilitator, mentor, provider, classifier and diplomat (Liebling & Price, 2001:43).

Correctional officials are responsible for offenders as from the day of admission up until the day of release.

Officials have the following roles to play (Seiter, 2002:383):

- Control without threats and tension
- Communication on a professional basis
- Providing human services

Correctional officials are the most valuable resource of a correctional system; they make sure the mission is accomplished.

Offenders are taken into custody by the Department of Correctional Services and their aim is to release good citizens back to the community. Programmes provided by the correctional services prepare them for readjustment or reintegration into the community. With the open relationship between the community and Correctional Services, offenders integrate well into the community. The community provides work, income assistance, spiritual and emotional support.

The Department of Correctional Services supports community participation (Bailey & Ekiyor, 2006:27):

- There is a community participation policy with guidelines for community involvement
- The Department encourages greater community participation to help reduce crime
- Offers support to both offenders and the victim
- Offers support when offenders must be integrated into communities
- Ensures active involvement in the offenders obligations
- Offers opportunities for remorse, forgiveness, reconciliation and for offenders to make amends
- Ensures that relationships are restored for successful reintegration of offenders

4.11 THE CONCEPT OF PUNISHMENT

Offenders must be averted from any further crime and punishment must be the method prevention of any further crime. Offenders must also know that their actions were wrong and that they have to pay the consequences. No crime can be committed without any punishment, and therefore punishment must be a deterrent from any further crime. There are many different ways to punish a person who commit crimes and this even varies from one society to another (Miethe & Lu, 2005:1).

According to the White Paper on Correction (Department of Correctional Services, 2005) Chapter 10 - Disciplinary procedures and punishment contributing to safety, security and order in correctional centres:

“10.4.1 - The relatively closed environment within the correctional institutions, and the nature of the community that is accommodated within these institutions means that special attention should be paid to the nature of the disciplinary procedures and punishments meted out. The scope for abuse of authority in the correctional institution must be countered, while at the same time the rule must prevail in correctional centres. Both correctional official and inmate must know very clearly what is expected of them and what will not be tolerated from them.”

“10.4.2 - A clear distinction should be drawn in the disciplinary procedures between those”

Moral and social order is normally disturbed by crime. Punishment must restore the balance. All offences must be punished (Rabie & Strauss, 1987).

4.12 THE ROLE OF THE CORRECTIONAL OFFICIAL

4.12.1 The characteristics of an ideal correctional official

The key to correction and rehabilitation is the relationship between members and offenders and the management of corrections. The ideal correctional official must be a unique combination of specific competencies such as:

- personal qualities
- experience
- expertise
- professional ethics
- personal development; and
- multi-skilling

The official must find affinity and identify with the Code of Ethics and Conduct adopted by the Department. He or she must embody the values that the Department of Correctional Services

wants to instil in the offender. The official must assist and facilitate the rehabilitation process of the offender by serving with excellence. The person should have a way of relating to others and should have a caring attitude.

4.12.2 Correctional officials and corruption

Overcrowding of correctional centres was a wake-up call for Justice and Correctional Services Minister Michael Masutha.

He visits many correctional centres nationwide and deals with issues such as drug abuse and contraband smuggling of correctional officials into the centres. He also issued a stern warning for correctional officials who smuggles with offenders. He stated where correctional officials found to be colluding with offenders – or with gangsters – where allowing contrabands into the centres – harsh action should be taken. A uniform means a calling, but some people joined the Department of Correctional Services for different reasons, and they don't belong in the Department of Correctional Services.

Due to escapes and the presence of weapons and drugs in correctional centres, the Jali Commission conducted an investigation into corruption among correctional officers. They (Jali, 2006:5) found the following:

“The Commission observed that corruption and mal-administration were so rife in most of the Management Areas investigated as to warrant describing this as part of the institutional culture. There was a large group of employees (warders/officials) who featured in almost all the incidents of corruption and mal-administration and who are predominantly driven by greed and the need to make easy money. This becomes apparent in the nature of the corruption that is endemic within the Department. Despite the aforesaid, some of the instances of corruption were systematic and not mere isolated incidents of corruption.”

It is unfortunate when the justice department is fighting for the safety of all citizens by imprisoning the criminals and those entrusted with the responsibility of ensuring that this is happening, namely the correctional officials, totally neglect their duties for whatever reason.

Cilliers and McKenzie (2006:123) explain how some officials are lured into the corruption circle.

“Often of course, warders are played. They send most of their time close to society’s most conscienceless members and the offenders know which one to pick. There are numerous ways of corrupting a warden and very few are invulnerable. We can tell a warden that we know everything about him and his family and that when a delivery of cannabis and Mandrax is made to his house he would be advised to bring it with him to work. Of course, he has the choice of reporting the matter, but he knows we are not men to make idle threats. We give him a fee or a cut of the profits and the warden continues happily, thinking he has had little choice anyway. Some may be perceived as such whereas they may be genuinely compassionate.”

The purpose of sending a person to a correctional centre is rehabilitation. Offenders have access to several programmes while they are serving their sentence. Here they can redeem themselves and return to the community.

As the Department of Correctional Services (2007b:10) states,

“... rehabilitation comprises of education, skills training, sport, recreation, arts and culture opportunities, health care and psychological treatment, maintenance of family and community links, a safe and healthy detention environment and post release support to ensure that the offender is rehabilitated to prevent him or her from going outside worse than he or she was when he or she first came into detention”.

4.13 QUALITATIVE RESEARCH – QUESTIONNAIRES

The qualitative research had as its aim to hear from inmates themselves what they regard as factors in gang involvement.

4.13.1 The selection of participants to complete the questions the research on gangsterism inside the correctional centres

After the participants were selected, the researchers handed an informed consent form (Annexure A) to every participant. The consent form describes the procedures, risks and purpose of the study and their rights, (verbally explained and consent forms were also completed) with regard to the study. The participants completed the consent forms as proof that they understand what the research is about and also the role they played in the study. Consent cannot be forced and must be voluntary. It is a decision made by each individual. When a copy of the consent form is signed, it means the participants accepted their role in the study and they were willing to participate in the study. The researcher also went through all of the questions to make sure the participants understand all of the questions asked in the questionnaire. Confidentiality was also very important and the participants were assured that the interviews were treated as such.

4.13.2 Privacy, anonymity and confidentiality

The thoughts, attitudes and experiences of individuals are of great value to the researcher and the privacy of the participants was, therefore, protected.

The identities of the participants were kept confidential – the responses made during the semi-structured interviews were not linked to specific participants (Collins *et al.*, 2000:112).

4.13.3 Ethical considerations

According to Noaks and Wincup (2004:37), the best interest of participants should always be taken into consideration and they should be protected from exploitation and any physical and emotional harm. These ethical issues were addressed during the study. Champion (2002:679) describes ethics as informative standards of professional groups or organisations – a morally binding code upon members of a group. Ethics involve the process of moral reasoning and justification (Mclaughlin & Muncie, 2003:341).

Pre-established closed and open-ended questions were asked with the aid of a schedule. The questions were asked in the same sequence during each of the interviews. The questions were

based on a literature study done by the researcher on the target population and the information gained by the researcher on gangsterism was also incorporated into the questions.

The interview schedule was explained clearly to the offenders, they were not forced to participate, they all did sign a consent form to cover their identity and so no emotional harm was done to the offenders and therefore the interview schedule was divided into two sections:

Annexure B (Section A) – questions with regard to the biographical data of the participants, such as age group, gender, marital status and level of qualifications.

Annexure B (Section B) – questions with regard to the reason for belonging to a gang and the characteristics of gang members.

Annexure C (Section A) – questions with regard crime to gang relation.

Annexure C (Section B) – Various questions relating to gangs.

4.13.4 Analysis of the collected data

All of the information should be organised in some way when a qualitative analysis of data takes place (Wilkinson, 2000:77). A computer analysis generally consists of assigning a code number to each answer category. Numbers are easier to retrieve than letters or words, hence the necessity to change categories from word or sentence responses to numbers (Bailey, 1987:333).

All of the responses of the participants during the semi-structured interviews were coded to provide numerical descriptions (Annexure C). According to Welman and Kruger (2001:195), a qualitative analysis of content, such as interviews, can be reported in a quantitative manner.

The analysis was aimed to describe the sampled population of gang members who were interviewed (Section A) and to establish an overview of the reaction of the participants to the questions asked (Section B) in the semi-structured interviews (Annexure B).

The SAS/Basic and SAS/STAT modules of the SAS statistical software package, Version 11.1, were used to perform the statistical analysis and data manipulation. The data were numerically presented in either a table or a chart. The validation of the captured data was checked with the aid of one-way frequency tables.

4.13.4.1 *Biographical data*

This section offers an analysis of the biographical data (Section A of the semi-structured interview schedule) to provide a profile of the offenders involved in gang activities.

Different age groups are involved in gang activities and it is not limited to a certain age. Inside the correctional centre young people of 18 are already involved in gangsterism. Offenders over the age of 40 can also still be actively involved in gangsterism.

Table 4-2: Age distribution of offenders

	Frequency	Percentage	Cumulative Frequency	Cumulative Percentage
18-20	4	0,95	4	0,95
21-25	6	1,42	10	2,37
26-30	11	0,59	21	2,96
31-35	7	0,37	28	3,33
36-40	22	1,18	50	4,51

The results in Table 2 indicate that most of the participants involved in gangsterism in the Barberton Management Area are between 21 and 25 years old.

Table 4-3: The gender of the participants

	Frequency	Percentage	Cumulative Frequency	Cumulative Percentage
Male	50	100	50	100

Table 3 shows that 100% of the 50 participants are male. The reason for this statement, at the correctional centres where this research was conducted only accommodate male offenders. One

should keep in mind that this distribution is in line with the inmate population – (Home office (2003)

Table 4-4: Marital status of the participants

	Frequency	Percentage	Cumulative frequency	Cumulative percentage
Single	33	1,45	33	1,45
Married	10	0,44	43	1,89
Divorced	0	0	43	1,89
Widowed	5	0,22	48	2,11
Other	2	0,08	50	2,19

Table 4 indicates that 2,19% of the participants involved in gangsterism are single (1,45%), married (0,44%), divorced (0%) divorced, widowed (0,22%) widowed or part of a custom marriage (0,08%).

Table 4-5: Qualification level of the participants

	Frequency	Percentage	Cumulative frequency	Cumulative percentage
Gr.6, 7, 8, 9, 10, 11	45	1,98	45	1,98
Gr. 12	5	0,22	50	2,20
Diploma	0	0	50	2,20

Table 5 describes the qualification level of the participants. 1,98% of the participants finished Gr. 6, 7, 8 and 9 while 0,22% of the participants completed Gr. 12. 0% of the participants obtained a diploma.

Table 4-6: Correctional centres in which the participants are placed

	Frequency	Percentage	Cumulative frequency	Cumulative Percentage
Med A	10/180	5,5	10	5,5
Med B	10/620	1,61	20	7,11
Maximum	20/1050	1,9	40	9,01
Youth centre	10/420	2,38	50	11,39

Table 6 provides information with regard to the correctional centres the participants are placed. 5,5% of the participants are placed in a Medium A; 1,61% in a Medium B; and 1,9% in a Maximum facility. 2,38% of the participants are placed in youth centres.

4.14 QUESTIONS RELATING TO GANG INVOLVEMENT

The semi-structured interviews provided information of the experiences, perceptions and knowledge of the participants concerning their involvement in gang activities. The data are analysed below.

Table 4-7: Personal reasons for involvement in gang activities

	Yes	No	Maybe	No answer provided
Do you have a reason for belonging to a gang?	47	3	0	0
Were you ever instructed to kill or injure somebody?	3	23	5	19
If ever instructed to kill or injure somebody, was there a reason?	3	23	5	19
Did you ever consider leaving your gang?	0	45	5	0
Is it difficult to leave your gang?	50	0	0	0

	Yes	No	Maybe	No answer provided
Did you join the gang at a young age?	37	13	0	0
Did you belong to a gang outside of the correctional centre?	9	41	0	0
Are there any advantages of being a gangster?	50	0	0	0
Are there disadvantages of being a gangster?	6	42	2	0
Does this have a direct influence on your friends and family outside of prison life?	45	1	2	2
Is enough support programmes available from the Department of Correctional Services?	42	8	0	0
Are Correctional Services members involved in gangs and gang-related incidents?	49	0	0	1
Were you forced to belong to a certain gang?	2	43	2	3
Did your category of crime influence you to become a gangster?	47	1	1	1

Table 4-8: Social-economical reasons for belonging to a gang

(No work outside, no family, alcohol misuse, violence, no education)

	Frequency	Percentage	Cumulative frequency	Cumulative Percentage
Med A	10/00/00/00	10-100	10	100
Med B	10/00/00/00	10-100	20	200
Maximum	20/00/00/00	20-100	40	300
Youth centre	07/00/00/03	07-100	47	470

This table provides the information on the reasons for belonging to a gang with regard to the correctional centres the participants is placed. The following number were gathered according to the question:

- The total participants answered Yes to this question: 47
- The total of participants answered no to this question is: 03
- The total of participants answered maybe to this question is: 00
- The total of participants answered no to this question is: 00

Table 4-9: Willingness to kill or injure someone

	Frequency	Percentage	Cumulative frequency	Cumulative Percentage
Med A	0/03/02/05	10-100	10	100
Med B	0/07/02/01	10-100	20	200
Maximum	2/10/00/08	20-100	40	300
Youth centre	1/03/01/05	10-100	50	400

This table provides information on the question if any participant were ever instructed to kill or injured somebody. The following number were gathered according to the question:

- The total participants answered Yes to this question: 03
- The total of participants answered no to this question is: 23
- The total of participants answered maybe to this question is: 05
- The total of participants answered no to this question is: 19

Table 4-10: Reasons for killing or injuring someone

	Frequency	Percentage	Cumulative frequency	Cumulative Percentage
Med A	0/03/02/05	10-100	10	100
Med B	0/07/02/01	10-100	20	200
Maximum	2/10/00/08	20-100	40	300
Youth centre	1/03/01/05	10-100	50	400

The following number were gathered according to the question

- The total participants answered Yes to this question: 37
- The total of participants answered no to this question is: 13
- The total of participants answered maybe to this question is: 00
- The total of participants answered no to this question is: 00

Table 4-11: Gang involvement outside the correctional centre

	Frequency	Percentage	Cumulative frequency	Cumulative Percentage
Med A	00/10/00/00	10-100	10	100
Med B	02/08/00/00	10-100	20	200
Maximum	07/13/00/00	20-100	40	300
Youth centre	00/10/00/00	10-100	50	400

The following number were gathered according to the question

- The total participants answered Yes to this question: 50
- The total of participants answered no to this question is: 00

- The total of participants answered maybe to this question is: 00
- The total of participants answered no to this question is: 00

Table 4-12: Advantages to involvement in gang activity

	Frequency	Percentage	Cumulative frequency	Cumulative Percentage
Med A	10/00/00/00	10-100	10	100
Med B	10/00/00/00	10-100	20	200
Maximum	20/00/00/00	20-100	40	300
Youth centre	10/00/00/00	10-100	50	400

- The total participants answered Yes to this question: 03
- The total of participants answered no to this question is: 23
- The total of participants answered maybe to this question is: 05
- The total of participants answered no to this question is: 19

Table 4-13: Disadvantages to gang involvement

	Frequency	Percentage	Cumulative frequency	Cumulative Percentage
Med A	01/08/01/00	10-100	10	100
Med B	02/07/01/00	10-100	20	200
Maximum	02/18/00/00	20-100	40	300
Youth centre	01/09/00/00	10-100	50	400

The following number were gathered according to the question

- The total participants answered Yes to this question: 06

- The total of participants answered no to this question is: 42
- The total of participants answered maybe to this question is: 02
- The total of participants answered no to this question is: 00

Table 4-14: Influence on relationships

		Frequency	Percentage	Cumulative frequency	Cumulative Percentage
Med A		10/00/00/00	10-100	10	100
Med B		09/01/00/00	10-100	20	200
Maximum		17/00/02/01	20-100	40	300
Youth centre		09/00/00/01	10-100	50	400

The following number were gathered according to the question

- The total participants answered Yes to this question: 45
- The total of participants answered no to this question is: 01
- The total of participants answered maybe to this question is: 02
- The total of participants answered no to this question is: 02

Table 4-15: Support within the correctional centre

This question asked whether there are enough support programmes available from the Department of Correctional Services.

	Frequency	Percentage	Cumulative frequency	Cumulative Percentage
Med A	08/02/00/00	10-100	10	100
Med B	09/01/00/00	10-100	20	200

Maximum	15/05/00/00	20-100	40	300
Youth centre	10/00/00/00	10-100	50	400

The following number were gathered according to the question

- The total participants answered Yes to this question: 42
- The total of participants answered no to this question is: 08
- The total of participants answered maybe to this question is: 00
- The total of participants answered no to this question is: 00

Table 4-16: The involvement of Correctional Services staff members

	Frequency	Percentage	Cumulative frequency	Cumulative Percentage
Med A	10/00/00/00	10-100	10	100
Med B	10/00/00/00	10-100	20	200
Maximum	19/00/00/01	20-100	40	300
Youth centre	10/00/00/00	10-100	50	400

The following number were gathered according to the question

- The total participants answered Yes to this question: 49
- The total of participants answered no to this question is: 00
- The total of participants answered maybe to this question is: 00
- The total of participants answered no to this question is: 01

Table 4-17: Forceful participation

This question asked offenders if they were forced to belong to a certain gang?

	Frequency	Percentage	Cumulative frequency	Cumulative Percentage
Med A	00/10/00/00	10-100	10	100
Med B	00/09/00/01	10-100	20	200
Maximum	02/15/02/01	20-100	40	300
Youth centre	00/09/00/01	10-100	50	400

The following number were gathered according to the question

- The total participants answered Yes to this question: 02
- The total of participants answered no to this question is: 43
- The total of participants answered maybe to this question is: 02
- The total of participants answered no to this question is: 03

Table 4-18: The influence of the offender's original crime

Did your category of crime influence you to become a gangster?

	Frequency	Percentage	Cumulative frequency	Cumulative Percentage
Med A	10/00/00/00	10-100	10	100
Med B	09/00/00/01	10-100	20	200
Maximum	19/01/00/00	20-100	40	300
Youth centre	09/00/01/00	10-100	50	400

The following number were gathered according to the question

- The total participants answered Yes to this question: 47
- The total of participants answered no to this question is: 01
- The total of participants answered maybe to this question is: 01
- The total of participants answered no to this question is: 01

4.15 CRIME CATEGORY AND GANG INVOLVEMENT

Table 4-19: The relation between types of crimes and gangsterism

	Frequency	Percentage	Cumulative frequency	Cumulative Percentage
Drug-related crimes	47	2,07	47	2,07
Violent crimes	12	0,52	59	2,59
Financial crimes	6	0,26	65	2,85
Domestic violence	24	1,05	89	3,9

4.16 MONTHLY MEETINGS ADDRESSING ISSUES CONCERNING THE MANAGEMENT OF CORRECTIONAL CENTRES

Chosen members of the offender population, the prisoner member committee (PMC) and unit managers, case officers and the head of the correctional centre engage on a monthly basis to address burning issues, such as gangsterism and assaults, that concern the management of the centre.

**Table 4-20: Individuals present at meetings with the management of the centre
(Appendix B)**

	Always	Sometimes	Never	Total
Head of the correctional centre	1	3	0	4
Unit managers	3	4	0	7
Case officers	5	20	5	30
Prisoner member committee	18	0	0	18

Monthly meetings are very important for all correctional centres in the Department of Correctional Services. Specific correctional officials, like the unit managers, case officers and heads of the correctional centre who is constantly in contact with the offenders must have a monthly meeting together with the Prisoner Members Committee – a programme concerning the offenders must be discussed. During these meetings topics like Special Family Days are discussed as well as important dates. The Prisoner Members Committee is actively involved in these meetings and they have to bring all concerns and problems as well as positive insets to this meeting for discussion. Any negative attitudes that is influencing the offenders and make them feel negative and let them start with gang fights amongst each other are also to be discussed and must as far as possible to be solved here. Due to communication between all people involved, nobody is scared to raise their concerns, or to give an input if something positives can be the outcome. There are four Head of Correctional Centres (Med A – 01, Med B – 01, Maximum 01 and town youth centres).

Table 4-21: Individuals supposed to be present at meetings with the management of the centre

	Medium A	Medium B	Maximum	Youth centre
Head of correctional centre	01	01	01	01

Unit Managers	01	02	02	02
Case officers	02	08	16	04
Prisoner Members Committee	02	04	08	04

4.17 THE IMPORTANCE OF INDIVIDUALS NOT BELONGING TO GANGS IN CORRECTIONAL CENTRES AND THEIR VIEWS

It is important for heads of correctional centres to address all of the offenders from time to time to establish a sound relationship between members of Correctional Centres and offenders. During these meetings offenders should be encouraged to discuss confidential matters with unit managers concerning matters, such as gangsterism, physical assaults and sexual assaults, as individuals not belonging to gangs fear for their lives (see Appendix C). Unit manager should try to find practical solutions to problems and they must record complains in the complaints and requests register. Important information about escapes and assaults can be obtained from individuals who belong to gangs.

In 2015, gang-related matters complaints and requests registered by individuals not belonging to gangs for all four of the correctional centres were 5,33%. 11,14 reported assaults, 13,5% sexual assaults and 13,71% related matters. A total of 2270 offenders for Medium A, Medium B, Maximum and a town youth centre took part in this study.

4.18 TRAINING OF OFFENDERS

Offenders should be encouraged to take part in the various programmes presented by officials and outside companies such as South African National Institute for Crime Prevention and the Reintegration of Offenders NICRO. Programmes developed for offenders who committed violent crimes should be attended by them. When offenders successfully attended programmes, certificates should be filed in their case files.

Table 4-22: Training of offenders (Appendix D)

	Frequency	Percentage	Cumulative frequency	Cumulative Percentage
Educational	1560	68,72	1560	68,72
Spiritual care	2009	88,50	3569	157,22
Personal hygiene	2195	96,69	5764	253,91
Social programmes	789	34,75	6553	288,667

All the above-mentioned training programmes are presented at the four correctional centres in Barberton. In door games like monopoly, chess, playing cards, finger board, etc. are also provided as a countering measure against gangsterism and to help them cope with leisure time.

4.19 STATISTICAL ANALYSIS

4.19.1 The number of active gang members versus the total population of offenders

In April 2008, the total number of inmates in correctional centres who acknowledged that they are active gang members, were 2697 of a total number of approximately 159 000 inmates. The actual number of inmates belonging to gangs is suspected to be much higher – not all of the offenders choose to disclose their gang membership.

4.19.2 Gangsterism versus security threats

Although the general perception is that gangs play a major role in violence occurring in correctional centres, statistics do not reflect gang involvement as a major contributing factor. This can be due to a result of underreporting – a fear of victimisation and intimidation can prevent inmates from sharing information. This statement is supported by the findings of a study conducted by the Commission of Safety and Abuse in the correctional centres of the United States of America. However, the findings failed to show a substantial relationship between assaults and gang violence. During 2005, the study estimated that gang-related assaults in

correctional centres amounted to 28% and gang-related murders to 0%. During 2006, gang-related assaults escalated to 42% and gang-related murders increased to 1%. During 2007, gang-related assaults dropped to 14% and gang-related murders stayed at 1%.

4.19.3 Gang violence by gang members against offenders (one-on-one assaults)

Gang violence directed at offenders who are not gang members usually takes place after inmates have been unlocked and occurs mostly in passages, kitchens and dining halls and is instigated due to the following reasons:

- Gang initiation rituals.
- For promotions in gangs.
- As punishment or to discipline gang members for breaking their code of conduct or as a kind of demotion.
- Retribution for general misconduct of gang members or when disrespect was shown.

4.19.4 Gang violence against offenders

Gang violence against offenders in the form of gang fights usually takes place during the day in the courtyards of dining halls and occurs due to the following reasons:

- Gang activities within the territory of a rival gang.
- To gain control over the trafficking of illegal substances or other smuggled items.
- Favouritism of a specific gang by officials.

4.19.5 Gang violence against officials/staff members

Gang violence against officials/staff members usually takes place during the day after unlock in passages, court yards, dining areas and kitchens. This kind of violence is often caused by the following occurrences:

- Initiation of a gang member into a higher rank – when gang members must prove themselves by stabbing an official with a similar or higher rank.

- Favouritism of certain gangs/offenders.
- Privileges are taken away.
- Complaints and requests are not addressed.

4.19.6 Involvement of gangs in sexual activities

As a point of departure, it needs to be understood that not all of the sexual activities occurring in correctional centres are gang-related or driven by gangs. Homosexual relationships often occur between offenders due to the nature of a correctional centre environment where offenders are deprived of heterosexual relationships. Although sexual intercourse between offenders is discouraged, it takes place regularly and cannot be stopped due to the inherent nature of human beings and existing problems concerning overcrowding and the inability to effectively police centres after lockup.

There is a need to distinguish between consensual sex and forced sex leading to abusive behaviour. While consensual sex takes place between offenders (and between gang members), it is also a fact that forced sex or cases of rape also take place and it is believed that gangs ply a major role in these activities. The most common reason for rape is when senior gang members identify newly admitted offenders to be taken as sexual partners “wyfies” and in most cases these relationships are based on forced sexual activities.

A second and much more serious type of sexual activity gang members engage in is the so-called gang rape of an offender for punishment by the gang or during a power play situation over an offender.

Essentially a successful anti-gang strategy would involve the five elements set out above: orientation, management of security information, stricter action against persons involved in gangs, training of officials and better identification of suitable facilities. However, the first and most important step is the political will to combat gangs and subsequent investment in terms of human resources and funding.

4.20 SUMMARY

Although the above acts and policies aim to prevent crime, they cannot possibly prevent crime in total. These laws simply do not suffice. This may not have to do so much with the adequacy of the laws in themselves, but rather with shortcomings such as financing, human resources and combatting international criminal networks.

The act that governs the DCS is workable if it is applied correctly. Apart from the obstacles mentioned above, corrupt officials come into play. Laws and policies should be updated frequently to adjust to circumstances as they arise, especially since crime evolves constantly and criminals devise plans to thwart the efforts of law enforcement.

CHAPTER 5: FINDINGS, RECOMMENDATIONS AND CONCLUSION OF THE STUDY AND RECOMMENDATIONS

5.1 FINDINGS

The research problem stated in Chapter 1 resulted in the following research question:

What form does gang culture and gang activities take within correctional centres, and how can this knowledge contribute to a model to combat the effects of gang activities in South African correctional centres?

In pursuit of this primary question, the secondary questions were answer as follows:

- The development of gangs in SA

It is believed that gangs started in the early 1900s when Nongoloza hid in a cave in Pietermaritzburg and recruited other males from the mines for criminal activity. When members were caught and jailed, they simply used this as a way to recruit new members and as new territory. As time progressed, rival gangs developed. The first correctional centres, then simply called jails or prisons, were De Beer mine kampongs. The mining company funded the prison system and hired the men from the government labour. Later on the government took over the task of funding and managing correctional facilities. The interaction between community gangs and prison gangs continued and is still a factor today.

- The intricacies of gang operations and gang culture inside centres

Gangs have their own hierarchies, laws and system of communication. Chapter 3 documents the hand signs, body language, tattoos and language of the different prison gangs. As such, gangs provide members with a subculture to which they can belong, something that makes them part of a community. In this way the very gang culture itself becomes attractive.

- Current efforts to combat prison gang activity

Correctional centres have embarked on efforts to combat gangs, and many of these efforts have been successful to some degree. Rehabilitation plays a very big part in the efforts of the DCS. Several programmes are available for offenders.

The law offers a guideline in the form of acts, white papers and policies that are designed to structure the efforts of the DCS. This includes arrangements such as that offenders with different classifications are kept separate.

However, although these measures are well-designed, there is not enough human resources or funding to successfully implement them. Officers are too low in number, inadequately trained and corrupt elements can flourish.

- The available legal frameworks to guide correctional authorities

Correctional Services are managed according to the Correctional Services Act no. 111 of 1998, the White Paper of Correctional Services 2005, the Crime Prevention Act and Bill of Rights included in the Constitution.

- A strategy for combatting gang activity

A strategy for combating gangs has to include five elements, namely orientation of new offenders on the danger of gangs, management of security information, stricter action against persons involved in gangs, training of officials and better identification of suitable facilities.

The primary question can therefore be answered as follows: The number gangs are still the largest influence inside the correctional centres. The documented cultural aspects can aid officials in spotting gang members and targeting them for rehabilitation programmes. Non-members can be better protected when gang culture is used to identify gang members and to be vigilant.

The Department of Correctional Services have been acknowledging that gangs are a feature in the South African correctional system for many years now. It is well known that gangs play a major role in crime and dealing effectively with gangs is, therefore, an integral part of the government's crime prevention strategies.

This chapter presents an anti-gang strategy for South African correctional centres by first providing a cursory overview of the international context, the local context and the problems inherent to the system. This is followed by the presentation of a strategy.

5.2 INTERNATIONAL CONTEXT AND TRENDS

Internationally, the United States of America struggles with the problem of gangsterism. Policing agencies in Australia, the United Kingdom and the Caribbean have all attempted to police gangs in a manner that reduce crimes attributed to gang-related activities.

David Brotherton argues that issues surrounding the definition of what a “gang” is have changed substantively. These issues have been brought about by demands of globalisation and economic imperatives. Brotherton (2004) defines a gang as:

“... a street organization is a group formed largely by youth and adults of a marginalized social class which aims to provide its members with a resistant identity, an opportunity to be individually and collectively empowered, a voice to speak back to and challenge the dominant culture, a refuge from the stressed and barrio or ghetto life and a spiritual enclave within which its own sacred rituals can be generated and practiced.”

Brotherton’s definition emphasises the questions of marginality and social identity and addresses the issues of resistance and a group identity. One of the earliest definitions of a gang is that of Thrasher (1927), who defined a gang as:

“... an interstitial group originally formed spontaneously and the integrated through conflict. The result of this collective behaviour is the development of tradition, unreflective internal structure, esprit de corps, solidarity, morale, group awareness, and attachment to a local territory.”

Thrasher’s definition concentrates on the structural issues relating to gangs. However, the definition does not deal with the social relationships gangs have with the society and community in which they operate. This definition has become irrelevant in an ever-changing world in which the social identity of gangs is reproduced. Brotherton argues very forcefully that there is a strong element of resistance in gang literature that needs to be rediscovered. The world has changed and

gangs have adapted by embellishing the cultural symbols of dominant societies with their own cultural symbols by employing resistance.

A recent report from the Justice Policy Institute of the United States of America (2007) argues that all of the law enforcement techniques and budgets aimed at enforcement programmes to eradicate gangs have not worked. In addition, the authors argue that gang members have become far more aware of police actions against their members and this has in turn made them attuned to police actions. The report compiled by the Justice Policy Institute states:

“Los Angeles is a case in point. Author and former California state senator Tom Hayden reports that thousands of young people have been killed in Los Angeles gang conflicts despite decades of extremely aggressive gang enforcement. City and state officials have spent billions of dollars on policing and surveillance, on development of gang databases containing the names of tens of thousands of gang members, and on long prison sentences for gang members. Spending on gang enforcement has far outpaced spending on prevention programs or on improved conditions in communities where gang violence takes a heavy toll.”

Los Angeles taxpayers have not seen a return on their massive investments over the past quarter century: law enforcement agencies report that there are now six times as many gangs and at least double the number of gang members in the region. In the undisputed gang capital of the U.S.A, more police, more prisons haven't stopped the cycle of gang violence. Los Angeles is losing the war on gangs.

The report is ambivalent concerning the role of law enforcement and its effects on gangs. It provides a number of surprising findings – given the fact that it was an exhaustive process that involved research in a number of cities in the United States of America known for struggling with gangs and gang-related incidents. The report makes the following observations about gang crime in the United States of America:

- There are fewer gangs and/or member of gangs in the United States of America today that there were a decade ago. There is no evidence available that gang-related activities are growing. The most recent comprehensive law enforcement statistics estimate that

youth gang membership fell from 850 000 in 1996 to 760 000 in 2004 and the proportion of jurisdictions reporting gang problems has dropped substantially.

- There is no consistent relationship between law enforcement measuring gang-related activities and crime trends. In the 1990s, gang membership was at an all-time high while youth violence fell to its lowest level in decades.
- Gangs are responsible for a relatively small share of crime in most jurisdictions.
- Gangs do not dominate or drive the trade of illegal substances. National drug enforcement sources claim that gangs are the “primary retail distributors of drugs in the country”. However, studies have shown that several jurisdictions have concluded that gangs account for a relatively small share of drug sales and that gangs do not generally seek to control these illegal markets.
- Gang problems are usually illustrated by the faces of black and brown people, but white people make up the target group of adolescent gang members. Law enforcement sources report that over 90% of gang members are not white, but the data of a youth survey indicate that 40% of these adolescents are white.
- Most individuals join gangs when they are young and then quickly outgrow their gang affiliation without the help of law enforcement or gang intervention programmes.
- Most of the adolescents who join gangs do so between the ages of 12 and 15, but the involvement of younger children in gangs is not new.
- Leaving gang early reduces the risk of negative life outcomes, but current practices make it more difficult for gang members to quit.
- Police gang units are often informed for the wrong reasons and these units are often perceived as isolated and ineffectual by law enforcement colleagues.
- Heavy handed suppression efforts can increase gang cohesion and tension within police communities and can lead to a poor track record when it comes to reducing crime and violence.
- “Balanced” gang control strategies have been plagued by replication problems and imbalances between law enforcement agencies and community stakeholders.

- African Americans and Latino communities often bear the costs of failed gang enforcement initiatives.
- Expand the use of evidence-based practices to reduce crime committed by adolescents.
- Promote jobs, education and healthy communities while lowering barriers to the integration of former gang members into a society.
- Redirect resources from failed gang enforcement efforts to proven public safety strategies.

5.3 A SOUTH AFRICAN CONTEXT

When compared with other countries, South Africa is not unique when the issue of gang-related problems is addressed. In fact, African countries such as Nigeria and Sierra Leone, are facing similar problems with gangs – just in a different context. Nigerian gangs are formed to gain access to the petroleum sector and gangs in Sierra Leone are formed with the diamond mining industry as their main objective.

Gangs have existed for years in South Africa and started in correctional centres in the early 1900s. they housed the oldest gangs operating inside the prison. This phenomenon was resumed in communities by prison gang members who were released after they had served their time. Street gang members are strongly associated with defending their “turf”, as indicated by the studies of Pinnock (1984) and Kinnes (2000).

In reviewing literature on gangs in South Africa, Andre Standing (1998) argues that the parasitic model of organised crime developed by Donald Cressey (1997) and as applied by the local discourse is problematic. Standing argues that gangs are not as organised as the state and social scientists make them out to be. He is of the opinion that the gang strategy developed by the Department of Community Safety in 2003, is not a gang strategy at all, but rather a collection of articles and policies borrowed from other researchers in the United States of America. Standing contends further that the process of shaping solutions for South African gang problems has had political spinoffs for politicians who used the existence of gangs as a means to shore up their political support.

In 1998, parliament passed the Prevention of Organized Crime Act 1998, which contains a section on asset forfeiture and a section on gangs. This Act states that it is illegal to belong to a gang and by association, individuals can be found guilty of a crime. The Act defines a gang as:

“... criminal gang, includes any formal or informal on going and organisation, association or group of three or more persons, which has as one of its activities the commission of one or more criminal offences, which has an identifiable name or identifying sign or symbol and whose members individually or collectively engage in or have engaged in a pattern of criminal gang activity.”

The Act has been used in numerous court cases, but finally in 2007, it was effectively used in the conviction case of the leadership of the Nice Time Kids, a Woodstock-based gang. The principles and position were used to convict the leaders of the gang on the basis of organised crime.

Gangs in a South African context tend to gravitate towards the recruitment of school children and focus, therefore, on schools. Many gangs have started to recruit young school children as members and gang attacks on schools and school children have become a serious and common practice over the last few years.

Inextricably tied up with the South African gang typology is the drug economy. Unlike many of the gangs in the United States of America, drugs are a common factor in the continued growth of South African gangs. The Department of Social Development drives the implementation of the Drug National Master Plan which is intended to combat the spread of drugs throughout the country. Crystal methamphetamine or Tik, as it is commonly known in South Africa, is decimating communities with social and economic costs skyrocketing. Its effects are similar to that when crack cocaine hits the street in the communities of the West and East Coast of the United States of America. The social effects of crack cocaine are devastating. Families are destroyed, children become involved in a life of crime and communities are torn apart in the process.

The South African Police Services are at the forefront with regard to law enforcement methods and operations in an attempt to deal with the criminal activities of gang members. The

involvement of the police on their own has not been enough to stem the tide of young people gravitating towards gangs and drugs.

The socio-economic conditions in South Africa, such as homelessness, poverty, unemployment and dysfunctional families, have all in some small measure contributed to the state of violence that we find ourselves in. The toxic environment and violent communities in which young people find themselves in contribute to their social indoctrination that reproduces a toxic spiral of violence. Altbeker (2007:119) points out:

“Violence has become a cultural phenomenon. It is a form of behaviour driven by its own logic and attractive in its own right, one that is, for a significant minority, an expression of their selfhood, something towards which young men are drawn by the ‘enticement, or incitement, of the peer-group prestige’”.

Many South African cities and towns are affected by gang-related problems, but it is essentially big urban cities, such as Cape Town, Johannesburg, Durban, Port Elizabeth, Pretoria and Kimberley that bore the brunt of gang violence and drug abuse over the last ten years.

Experience has shown that in working with gang members, any programmes focusing directly on gang members, such as mediation, conflict resolution or direct police intervention concerning gang strongholds, have the opposite effect of intended results. Usually, these programmes increase the social solidarity of gang members.

Offenders who do not belong officially to gangs begin to view themselves as part of gangs or they identify more strongly with gangs after such interventions. The status of individuals who claim to be part of a gang is greatly enhanced in the eyes of members. Many countries, such as Puerto Rico, Mexico, the United States of America, New Zealand and the United Kingdom have all similar problems when it comes to dealing with gangs. The crux of the matter is, therefore, how to combat gangs without creating a reservoir of new recruits and potential recruits into the gang underworld.

5.4 THE NUMBER GANGS

It is a well-known fact that for many years now gangs thrive in the South African correctional system. Gangs and gang-related activities have a major impact on the maintenance of a safe and

secure environment within correctional centres that is conducive to the rehabilitation efforts of the Department of Correctional Services.

Moreover, there is a close relationship between and interaction amongst gangs inside correctional centres and gangs functioning in communities. Gangs play a major role in crime and dealing effectively with gangs forms, therefore, an integral part of the government's strategies in combatting crime.

5.5 GANGS OPERATING IN CORRECTIONAL CENTRES

Gangs or as they refer to themselves – “men of the number” – are organised in hierarchically ordered quasi-military structures. Membership is voluntary although in reality, it is not. Usually, membership is based on non-racial and non-ethnic principles. Each gang has its own traditions and members bear distinctive colourful uniforms (mostly imaginary), tattoos, flags and other military paraphernalia.

The following five number gangs are the most prevalent and operate in South African correctional centres. Other gangs are mostly fragments of these prominent gangs. Every number gang has its own code of conduct and functions on the principle of absolute commitment to a particular gang.

- The 26 gang

This gang focuses on comfort and convenience. They obtain goods, money and drugs by means of cunning actions, such as stealing, robbing and smuggling. The 26 gang does not “officially” engage in homosexual activities with “wyfies” (boy wives) but such activities are tolerated as long as it does not interfere with the higher goals of the gang.

- The 28 gang

The 28 gang is involved with violence and sodomy. They are fighters. They keep boy wives (“wyfies”) and one of their objectives is to “fix the jail” if conditions are unsatisfactory according to their standards. They regard a correctional centre as their “house”. Members of this gang are concerned with the quality of food they receive and participate in activities, such as riots, aimed at making a correctional centre ungovernable.

- The 27 gang

The 27 gang is regarded as the mediator between the 26 and 28 gang. They are responsible for correcting any wrong doings that exist between these two gangs. The numbers of the 27 gang has dwindled recently and as a result, they do not have the same influence as in the past.

- Air Force gangs (Air Force 3 and Air Force 4)

The declared goal of Air Force 3 and Air Force 4 gangs, also known as the Royal Air Force, is to escape. They are mostly responsible for orchestrating escapes from correctional centres.

- Big 5 gang

The declared goal of the Big 5 gang is cooperation with officials in order to receive protection for themselves or fellow-offenders. However, the Big 5 gang is also concerned with sodomy and smuggling – they stab offenders and are known for kicking and trampling offenders.

5.6 CHALLENGES IN THE CORRECTIONAL SYSTEM

Implementing a national anti-gang strategy is certainly easier said than done. A few of the many challenges facing the South African correctional system are:

- Local correction centre gangs are very resilient and have survived many past anti-gang strategies.
- Is truly multi-faceted – it has a lot of meanings.
- Gangs are intertwined in a complex way with the dynamics of the correctional centre subculture and aspects of the relatively closed correctional world.
- Gangs commit sexual violence and most often prefer “wyfies”.
- Gangs have become increasingly entangled with South African street gangs and post-industrialised international syndicates, which are seemingly taking advantage of the country opening up globally after the dismantling of Apartheid more than two decades ago and the various opportunities presenting themselves in a lucrative market of drugs, commercial sex and other commodities.

- Gangs are related with various societal issues, such as inequality, unemployment, HIV and poverty.
- The lack of a system for the proper record keeping of all gang-related activities. A basis is needed for the analysis of security information related to gangs.
- The effectiveness of actions against persons involved in gang activities.
- The separation of inmates involved in gang activities from the rest of the inmate population.
- Disciplinary and criminal actions against offenders and officials involved in gang-related activities.
- The encouragement and rewarding of the positive behaviour of inmates.
- Officials working in correctional centres are not sufficiently equipped with techniques and skills to deal effectively with high-risk inmates, which include gangs. Skills should include negotiation skills, the gathering of security information, the identification of gangs, control and restraint techniques, tactical awareness and the correct way in handling complaints and requests.
- The censoring of all ingoing and outgoing post/letters from offenders. Well-trained officials can identify and infiltrate gang strategies and limit new gang activities.
- The control of visits. These visits should be controlled by well-trained officials – especially during weekends or when big groups of visitors are allowed. CCTV cameras should be well-placed to observe offenders during visiting times. All incidents of smuggling, gang promotions, criminal activities or visits by well-known gang leaders should be reported to a central point at a regional office within a period of 12 hours in order to connect with the police and other Head of Correctional Centres in that region and should be recorded on a data basis.

There is no reason why offenders in a maximum centre should enjoy the same privileges as those in a medium centre. The best privileges in a maximum centre should be equal to or less than that enjoyed in a B-group in a medium centre. A stricter privilege system should be in place for maximum centres to encourage offenders to work towards a medium classification where they can

enjoy more privileges. Officials and offenders should be trained how to correctly apply a privilege system according to different groups of offenders.

5.7 A CONCEPT ANTI-GANGTERISM STRATEGY

5.7.1 The mandate of a strategy to combat gangs in correctional centres

In 1996, the Constitution of South Africa in Section 12(1)(c) of the Bill of Rights, enshrined the rights of all people: every person has the right to freedom and security of persons, which includes the right to be protected against all forms of violence.

Paragraph 10.6.1 of the White Paper on Correctional Services compels the Department of Correctional Services to effectively deal with the issue of gangs in correctional centres and remand detention facilities. In paragraph 10.6.2, the Department is required to adopt an anti-gang strategy to ensure the safety of all of the inmates. The Prevention on Organized Crime Act (121 of 1998) introduced measures to combat organised crime and to criminalise certain activities of gangs – the Correctional Services Act (111 of 1998), the Strategic Plan of the Department of Correctional Services 2006/2007 and the Minimum Security Standards approved by the Minister of Correctional Services were put in place.

5.7.2 Background

In line with the Government's goals, the Department of Correctional Services envisioned an anti-gang strategy in its White Paper on Correctional Services adopted by Parliament in 2005.

The aim of this document was to facilitate a discussion on the development of an anti-gang strategy implemented by the Department of Correctional Services. It must be noted that some of the information included in this document was based on official research findings obtained during extensive workshops with experienced officials of the Department of Correctional Services.

5.7.3 Objectives of the anti-gang strategy

The aims of the current anti-gang strategy of the Department of Correctional Services are to:

- Maintain a secure and safe environment that is conducive to the rehabilitation of offenders and the attendance of remand detainees in court processes.
- Protect vulnerable offenders, officials and service providers.
- Develop the necessary protocols and agreements with other departments and agencies to ensure a comprehensive and coordinated approach in dealing with gangs.
- Ensure that resources are correctly allocated to support the anti-gang strategy.
- To institutionalise programmes to deal with gangsterism.

5.7.4 Elements of the anti-gang strategy

5.7.4.1 *Orientation*

Offenders should receive an orientation on admission. This orientation should address the dangers and disadvantages of gangs and should inform offenders of the consequences of further criminal behaviour. Methods such as comic strips can be useful, since it can reach both the literate and illiterate offenders.

5.7.4.2 *Management of security information*

A system should be developed for proper record keeping of all gang-related activities that can provide a basis for the analysis of security information related to gangs. Security information units should be established on a national, regional and on a correctional centre level that should have working relationships with other security information structures of the SAPS and the NIA.

5.7.4.3 *Stricter action against persons involved in gang activities*

A separation of offenders involved in gang activities from the rest of the offender population in a correctional centre is advised. In addition, disciplinary action should be taken against inmates and officials involved in gang activities while the positive behaviour of inmates should be encouraged and rewarded. Lastly, security measures should be put in place to accommodate above-mentioned suggestions and these security measures should be strictly applied.

5.7.4.4 *Training of officials*

An induction manual should be developed to orientate all the officials of the Department of Correctional Services on gangsterism in correctional centres. Moreover, an advanced training manual should be developed to equip officials working in correctional centres with techniques and skills to deal effectively with high-risk inmates, which include gangs. These skills should include negotiation skills, how to gather security information, the identification of gangs, control and restrain techniques, tactical awareness and the correct way to handle complaints and requests made by inmates.

5.7.4.5 *Identification of centres/units for the detention of gangsters*

Every region should identify a centre or unit (C-Max facility) to incarcerate active and prominent gang members/leaders for the purpose of a direct correction intervention aimed at ensuring that they reject gang activity. Special hospital units should be made secure to house high-risk inmates. Programmes should be developed to create awareness and deal with issues of gangsterism.

Correctional centres must be built in such a way that offenders serving long sentences are not be near offenders serving short terms. The correctional facilities in South Africa are very old and were built for the purpose of detention only. The emphasis is now on rehabilitation, and at many correctional centres the lay-out is not conducive.

5.7.5 **The implications of such a strategy**

5.7.5.1 *Communication implications*

An anti-gang strategy should be communicated to all of the officials working in correctional centres, remand detention facilities and at community correctional centres.

5.7.5.2 *Legal implications*

There are no legal implications when an anti-gang strategy is applied by correctional centres, remand detention facilities and community correctional centres.

5.7.5.3 *Policy and procedural implications*

Departmental policies and procedures should provide a framework for the development and application of an anti-gang strategy.

5.7.5.4 *Financial and/or economical implications*

The following activities can have financial implications:

- The upgrading of facilities, according to the standards of C-Max facilities.
- The training of staff members.
- The development of an advanced training manual.
- The development of a security information system.
- The establishment of security information units.

5.7.5.5 *Political and social implications*

An anti-gang strategy should be communicated to the JCPS DG Cluster and Portfolio Committee for their cognisance and this can be a lengthy process.

5.7.5.6 *Consultation implications*

Consultations should take place with CBOs, NGOs, community safety forums and police forums (where applicable), the South African Police Services and other law enforcement agencies, the NPA and the Department of Justice.

5.7.5.7 *Technology implications*

A computerised system should be developed to keep record of all gang-related activities. Technology necessary for such an upgrading of identified C-Max facilities can include CCTV cameras and/or X-ray scanners.

5.7.5.8 *Implication with regard to the approval of such a strategy*

An anti-gang strategy should be submitted by the Department of Correctional Services to the Minister of Correctional Services for approval.

5.8 LIMITATIONS OF THE STUDY

Getting permission to conduct research in correctional facilities was a significant challenge. It can take up to two years to get permission from the head of a specific correctional centre to interview inmates.

Correctional centres are old and the structures are not conducive to unit management. The cells inside the centres are not clusters and are separated with other classification of offenders, staying in cells in between.

Some members of the Correctional Services are not loyal to the service anymore and take off as they wish without prior arrangement with their supervisors – there is always a shortage of staff members. Offenders are not kept productive for the time they are supposed to be. The staff members are not well managed so smuggling occurs more frequently between staff members and offenders.

Gangsters want to belong. They operate secretly and before a research study can be done make sure there is a good trusting relationship built from their side. Nobody is allowed into this circle. Gangsterism will always be part of the prison culture, although many changes was done to the classification of offenders and the staying in different cells, they will always change their operations to suit the new circumstances.

5.9 RECOMMENDATIONS: PROPOSED STRATEGIC FRAMEWORK

The following objectives for a strategic framework have been developed as a proposal due to the fact that the activities of number gangs have various negative impacts on the operations of the Department of Correctional Services:

- Improve the identification of gang members

The installation of biometric fingerprint readers will ensure that gang members are correctly identified. A biometric fingerprint reader and ID system should also be used to link gangsters with their visitors. Fingerprint readers should be coupled to the taking of a photograph of offenders as well as identifying tattoos relating to a gang. This should form part of the database of offenders for the Department and should include all of the aliases (nick names) used by gang members.

A system should be implemented where information known to the police can be made electronically available to the Department with regard to gang affiliations, syndicates and profiles of gang members.

- Improve direct supervision in living areas

The installation of CCTV cameras can assist supervisors and officials to effectively monitor the activities of inmates in living areas. These cameras should be considered to be installed in passages, kitchens and court yards.

- Behaviour modification of offenders involved in gang-related activities (gang leaders, crime syndicates, violent offenders)

A high-security facility should be identified and established in each region to accommodate and involve offenders in behaviour modification programmes before they are transferred to other maximum centres. Behaviour modification programmes should be developed and implemented and made available to high-risk offenders and gangsters.

- Disciplinary systems

Disciplinary systems should be revised and officials should be trained to properly initiate hearings. Heads of correctional centres and supervisors should handle cases immediately. More senior staff should be placed in charge of a disciplinary system.

- Curb gang activities at hospitals

Liaison needs to take place to create special wards for offenders at outside hospitals. Offenders should be transported in vehicles specifically designed for that purpose.

- Establish security intelligence centres

A security intelligence centre should be developed and implemented in correctional centres. Intelligence information can then be reported, evaluated and acted upon in a proactive manner by the management of a correctional centre. A security information unit should be developed and implemented at all levels in the Department. These units will establish links with the intelligence structures of the police and the NIA.

- Minimize movements of offenders to courts

The establishment of periodical court/audio visual court appearances at correctional centres through the integrated justice system forums should be investigated.

- Orientation of officials working at correctional centres

Officials should be orientated to understand the number gangs. The motivation of officials to combat gang activity should also receive attention. Officials will only become motivated when they are less out-numbered and better supported by the legal frameworks available.

5.10 CONCLUSION

While it is acknowledged that immediate action is essential to curb gangsterism, resources are limited. It is, therefore, necessary to implement a national framework in collaboration with all of the involved stakeholders. Although the strategic framework aims to be responsive over the long-term, it has been kept in mind that it is a sensitive matter that can easily generate uneasiness. It is, therefore, suggested that the framework should be implemented gradually to combat possible risk factors and drivers that lead to the formation and continuity of gangs. All stakeholders should indicate how they can contribute to an anti-gang strategy.

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APPENDIX A

Area Coordinator: Corrections

Area Commissioner: Barberton

Private Bag X611

BARBERTON

1 300

ATTENTION: MRS. NEL SL

DEMOGRAPHIC DESCRIPTION OF CORRECTIONAL CENTRES WITHIN THE BARBERTON MANAGEMENT AREA

Herewith the requested statistics for the above mentioned.

Correctional Centre	Total of sentenced offenders	Total of remanded detainees	Percentage overcrowd
Medium A	180	0	0

Medium B	620	0	10%
Maximum	1050	0	15%
Town Youth	420	40	0

For your information.

AC CORRECTIONS – BARBERTON MANAGEMENT AREA

B.K. FAKUDE

2015/05/28



Correctional services

Department:
Correctional Services
REPUBLIC OF SOUTH AFRICA
Private Bag X611, Barberton, 1300
Tel. 013 712 3155 Fax 013 712 6658

APPENDIX B

Area Coordinator: Corrections Barberton

Private Bag X611

BARBERTON

1 300

ATTENTION: MRS. NEL SL

PRISONER MEMBER COMMITTEE MEETINGS AT ALL FOUR CORRECTIONAL CENTRES IN THE BARBERTON MANAGEMENT AREA

Herewith the requested information for the above mentioned.

	Attend always	Attend sometimes	Attend never
Head Correctional Centre	1	3	0

Unit manager	3	4	0
Case officers	5	20	5
Prisoner Member Committee	18	0	0

For your information.

AC CORRECTIONS – BARBERTON MANAGEMENT AREA

B.K. FAKUDE

2015/05/28



Correctional services

Department:
Correctional Services
REPUBLIC OF SOUTH AFRICA
Private Bag X611, Barberton, 1300
Tel. 013 712 3155 Fax. 013 712 6658

APPENDIX C

Area Coordinator: Corrections Barberton

Private Bag X611

BARBERTON

1 300

ATTENTION: MRS. NEL SL

GANG RELATED COMPLAINTS AND REQUESTS AT ALL FOUR CORRECTIONAL CENTRES IN THE BARBERTON MANAGEMENT AREA

Herewith the requested information for the above mentioned.

REGISTERED COMPLAINTS AND REQUESTS	TOTAL
Gangsterism	121

Assaults	132
Sexual assaults	54
Gang related matters	49

For your information.

AC CORRECTIONS – BARBERTON MANAGEMENT AREA

B.K. FAKUDE

2015/05/28

APPENDIX D



Correctional services

Department:
Correctional Services
REPUBLIC OF SOUTH AFRICA
Private Bag X611, Barberton, 1300
Tel. 013 712 3155 Fax. 013 712 6658

Area Coordinator: Corrections Barberton

Private Bag X611

BARBERTON

1 300

ATTENTION: MRS. NEL SL

TRAINING OF OFFENDERS AT ALL FOUR CORRECTIONAL CENTRES IN THE
BARBERTON MANAGEMENT AREA

Herewith the requested information for the above mentioned.

TRAINING NEED OF OFFENDERS	TOTAL
Educational	1560

Spiritual care	2009
Personal hygiene	2195
Social programmes	789

For your information.

AC CORRECTIONS – BARBERTON MANAGEMENT AREA

B.K. FAKUDE

2015/05/28

APPENDIX E

REQUEST TO ADMINISTER QUESTIONAIRES

Sarah L Nel
TOWN YOUTH CENTRE
BARBERTON
1300
MARCH 2015

Mr. BK Fakude
A/C CORECTIONS
AREA COMMISSIONER: BARBERTON

REQUEST TO ADMINISTER QUESTIONAIRE

In order to determine the impact of gangsterism in Barberton Correctional Centres on officials, offenders, families, government structures and the financial impact there- off.

I am conducting a scientific investigation entitled *Gangsterism in Barberton Correctional Centres*. This investigation will help me to obtain a Masters degree in the field of Penology at the University of South Africa (UNISA). This investigation seeks to find effective solutions to combat gangsterism successfully in Correctional Centres.

The attached questionnaire forms an important part of my research hence I am requesting that it is distributed amongst the Heads of Correctional Centres Barberton.

Thank you for your co-operation

Sarah L Nel

E-mail: poon48nel@gmail.com

TEL: 0726364933

APPENDIX F

LETTER TO THE HEADS OF CORRECTIONAL CENTRES BARBERTON

Sarah L Nel
TOWN YOUTH CENTRE
BARBERTON
1300
MARCH 2015

Head of the Correctional Centre

Re: completion of questionnaire on Gangsterism in Barberton Correctional Centres: A practical Penological perspective.

I am conducting a scientific investigation entitled *Gangsterism in Barberton Correctional Centres*. This investigation will help me to obtain a Masters degree in the field of Penology at the University of South Africa (UNISA). This investigation seeks to find effective solutions to combat gangsterism successfully in Correctional Centres.

As this questionnaire forms an important part of my research , I request you to see that it is completed with the permission of the A/C: Corrections: Barberton Management Area. The questionnaire is simplified and will not take more than 30 minutes per participant. The completion is voluntary and will be treated as confidential. The answers will only be used for scientific purpose.

Thank you for your help

Sarah L Nel

E-mail: poon48nel@gmail.com

TEL: 0726364933

APPENDIX G

Table 1

Age group

	Frequency	Percentage	Cumulative Frequency	Cumulative Percentage
18 - 20				
21 - 25				
26 - 30				
31- 35				
36 - 40				

The results in table 1 indicate that the most offenders involved in gangsterism in the Barberton Management Area are between _____ gives you a _____ %

Table 2

Gender

	Frequency	Percentage	Cumulative Frequency	Cumulative Percentage
Male				
Female				

Table 2 shows that _____ % of offenders involved in gangsterism interviewed were _____ % males and _____ % females

Table 3

Marital Status

	Frequency	Percentage	Cumulative Frequency	Cumulative Percentage
Single				
Married				
Divorced				
Widowed				
Other				

This table indicates that _____% of offenders involved in gangsterism interviewed were _____% single _____% married and _____% divorced. The percentage single fell in the _____ age group

Table 4

Level of Qualifications

	Frequency	Percentage	Cumulative Frequency	Cumulative Percentage
Gr 6,7,8,9,10,11				
Gr 12				
Diploma				

Table 4 describes the qualifications of the participants.

_____ % offenders only have Gr. 6,7,8,9,10 and 11, while _____ % do have Gr. 12 and _____ % participants do have a diploma

Table 5

Correctional Centres

	Frequency	Percentage	Cumulative Frequency	Cumulative Percentage
Med A				
Med B				
Max				
Town Youth				

A _____% participants belongs to Med A. _____% belongs to Med B, _____% belongs to Maximum and _____% belongs to Town Youth Centre

Table 6

Involvement in gang activities

	YES	NO	MAYBE	NO ANSWER PROVIDED
Do you have a reason for belonging to a gang?				
Were you ever instructed to kill or injured somebody?				
If ever instructed to kill or injured somebody was there a reason?				
Did you ever concern leaving your gang?				

Is it difficult to leave your gang?				
Did you join the gang at a young age?				
Did you belong to a gang outside the Correctional Centre?				
Are there any advantages of being a gangster?				
Are there disadvantages of being a gangster?				
Does this have a direct influence on your friends and family outside the prison life?				
Is enough support programmes available from Department of Correctional Services side?				
Are Correctional Services members involved in gangs and gang related incidents?				
Were you forced to belong to a certain gang?				
Did your category of crime influence you to become a gangster?				

Table 7

Crime to gang relation

Type of crime	Frequency
Drug related crimes	
Violent crimes	
Financial crimes	
Domestic violence	